OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, January 4, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
January 04, 1993

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by Acting City Clerk, Marilynn Slade

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Schmidt

ABSENT: Councilmember Ford (arrived 7:20 P.M.)

The Invocation and Pledge of Allegiance were led by Councilmember Benavides

ELECTION OF COUNCIL PRESIDENT AND VICE-PRESIDENT

RESOLUTION #1
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Section 3-102 of the City Charter requires the City Council to organize each year at its first regularly scheduled meeting in January by selecting a President and Vice President to each serve a one-year term;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby selects Mark H. Canady to serve as President during calendar year 1993 and until a successor is selected in January 1994; and

BE IT FURTHER RESOLVED the City Council hereby selects Robert L. Brockwell to serve as Vice-President during calendar year 1993 and until a successor is selected in January 1994.

By Councilmember Benavides

To Elect Councilmember Mark Canady to serve as Council President for the calendar year 1993

Adopted by the following vote:

YEAS: Councilmembers Belen, Benavides, Brockwell, Canady, Schmidt

NAYS: Councilmember Beal

ABSENT: Councilmember Ford

By Councilmember Benavides

To elect Councilmember Robert Brockwell to serve as Council Vice-President for the Calendar year 1993

Carried unanimously

Council President Canady thanked his colleagues for electing him to the position of Council President and urged Council and the Public to establish a spirit of mutual respect and cooperation. He asked that we all work together to move forward to accomplish positive results for the City.

MINUTES

By Councilmember Schmidt

To approve the Printed Council Proceedings for November 16, November 23 and November 30, 1992

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Benavides

To accept the following under suspension of the rules:

1/ From Councilmember Benavides a request to suspend the rules to allow for the election of Council President and Vice President by resolution directly following the Invocation and Pledge of Allegiance

2/ From Councilmember Benavides a letter from the Small Folks Development Center regarding parking in front of their building

3/ From Councilmember Belen a letter from Mayor McKane regarding the extension of Sanitary Sewer Service to Lansing Charter Township

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. Consideration of an Amendment to Part 2, Chapter 292, of the Code of Ordinances for the Purpose of Reaffirming and Readopting a Retirees Suspension of his/her Pension if Rehired by the City

Lloyd Teets of 116 E. Elm St. said he does not see the need to readopt or reaffirm an ordinance that already exists in the Code. This is a waste of time. He is not opposed to pensioners being rehired by the City, but, he believes their retirement should be frozen at the amount they accepted according to the Early Reduction in Force Plan.

Howard Jones of 426 W. Barnes Avenue urged Council to delay adoption of this amendment until the recently filed Court case on the Early Retirement Program has been settled. He asked President Canady to stop obstructing justice insofar as the duties of the Ethics Board is concerned.

Harold Leeman of 529 N. Francis asked if action would be taken to adopt this amendment tonight. He asked Council to look closely at this and make sure they understand just exactly what the amendment means. The State Journal has reported that the new Mayor will rehire pensioners on a contract basis. He urged Council to use caution in the adoption of this Ordinance. Anyone has the right to run for Councilmember, Mayor, or City Clerk.

REFERRED TO THE COMMITTEE OF THE WHOLE

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

B. Consideration of an Amendment to Part 10, Chapter 1063, Section 1063.03 & 1063.06 of the Code of Ordinances for the Purpose of providing for On-Site Collection of Recyclable Materials by Owners of Multi-family Dwellings Containing 5 units or More and Storing of the Materials

William Hubbell of 1003 W. Cavanaugh said that apartment complexes are supposed to have this plan in effect as of January 20, 1993. It will cost him approximately $24.00 per month. He is concerned that there is no plan to educate the landlords or tenants in the implementation/operation of such a program and they do not know how a program such as this operates.

Robert L. Treazie, Jr. of 834 Fred St., Pennwood East Apartments, said that, as apartment dwellers, he and his wife are not considered by the City of Lansing to be residents. Why did this take so long to become effective for renters? Renters do not have a problem paying the $4.55 per month that constitutes the $55.00 annual recycling fee to allow them to participate in the program at the same level as single family homes. Please make this program available to renters.

David Stewart of Hamco Management said he manages several apartment buildings in the Lansing Area. Apartment complexes were not given the same options and funding that single family units were given. The complexes have no place to put these dumpsters. Almost all of the money from the Department of Natural Resources grant was spent on the program for single family dwellings. The only way to make this type of program work is to work together, but this is not a "work together" program.

Helen LeBlanc of 2021 Cumberland wants apartment dwellers offered a method of recycling that is at least as convenient as the one for single family homes. Do not make them take their trash to Granger, it is not convenient and they will not do it. It will cost everyone more in the long run to ignore recycling. Recycling saves money and the earth's resources.

David Dempsey of 122 S. Grand spoke in support of the amendment. He commended the City for its' efforts on single family recycling. 60% of Lansing residents are recycling. Without this amendment the City will not be able to make a contribution towards solving the State's solid waste crisis situation. Without passage of this amendment, use by apartment dwellers will keep the city's use very low and endanger the rest of the program. The intent of the State on this program was to assist in setting up on-site collection at apartment complexes.

Mary Lea Benson of 900 Long Blvd. #482 said she got a letter from Oxford Management Company saying that they had signed a contract with Granger requiring that their residents make a 20 mile trip to Granger's landfill to drop off their recyclable materials. This is a long trip if you cannot afford it. She favors the on-site proposal.

Forrest Babcock of 3724 Wilson owner of an apartment complex, asked the City to allow landlords to pay the $55.00 per unit annual recycling fee and take advantage of the City's recycling program. He asked who will enforce the ordinance and how they will do it? Council, he said, cannot make him responsible for his tenants actions. He warned that he will be forced to evict tenants because of this ordinance. He has begun amending his leases to inform tenants that they will be subject to fines, fees, and jail time as determined by the City of Lansing.

David McCardel of 2801 Bryon Circle, owner/manager of an apartment dwelling in Lansing said the City is discriminating against apartment owners and managers. City drivers are picking through the green recycling containers of single family units to sort material, he has seen them do it. They will not give any consideration to apartment managers. This whole ordinance is DNR driven. They gave the grant to the City, and the City may have to give it back if they do not correctly implement this program.

Del Maynard of 2017 Culver said he used to be a landlord in this city, but he sold his property because the City makes him responsible for his tenants actions. Why has the City made this issue so complicated? Charge the $55.00 fee to every resident and give everyone green containers. Single family residents are being cheated if they do not do this.

Theresa Barker resident of Okemos, employee of Oxford Management Co., said they own about 1,000 units in Lansing. She asked why the residents of apartment complexes are not given the same choice as single family homes. This ordinance limits landlords options too much. The cost of the program will have to be passed on to the tenants and there are too many issues that are not addressed by the ordinance.

Sue Eby of 801 Durand a member of Citizens for Public Recycling spoke in support of the amendment. She knows one precinct in the City that is almost 80% apartment dwellers and they support the ballot language for mandatory recycling. She is happy with the $55.00 fee and with the service it pays for. Granger, she said, is offering this service to apartment owners for about $38.00 per resident. It is a good offer. This ordinance will give owners an edge to use when dealing with their tenants.

Douglas Fairbanks of 107 May St. said the City's recycling program is a good one.

Frank Curtis of 1137 W. Allegan said Council is making too many demands on people. Why doesn't the City provide this service for everyone? It is a shame the way Council is running the government. The City will recycle Council if they don't watch it.

Clyde Smith of 2244 Tecumseh River Drive said there are a lot of bumps in this program. They are way behind on this and the bumps will have to be smoothed out down the road. This is nothing more than a training program for teaching future generations how to recycle. It may be costly, but the training alone will be worth while.

Howard Jones of 426 W. Barnes Ave., member of the Lansing Advisory Committee on Family Recycling and a member of the Committee that designed the curbside recycling program for the City, asked Council to adopt this amendment as it is written. After they get this program operating efficiently they can move into the re-processing stage of recycling. Once they begin to re-process aluminum, glass and paper they can start to provide jobs for the city. This is a wonderful opportunity. Please approve and support their recommendation.

Lloyd Teets of 116 E. Elm said he supports this amendment. The DNR did not cram this down the throats of the City. It was a group of Lansing residents who passed this and forced it on the City. Council, he said, did not follow the will of the people on this. He asked how the City would enforce the ordinance? How will they know who is putting glass in with paper and who is not rinsing out their cans? He would not have voted for the ballot proposal on

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

recycling if he had known how it would end up.

John McCabe, Project Director for the Clean Michigan Communities Program for the Lansing area said the City was given a 2.3 million dollar grant by the State to develop and implement a mandatory curbside recycling and composting program to serve as a model for the rest of the State. The key to being a model is to get the most participation of the residents. Because of this the DNR required mandatory recycling for single family residences. Recycling for apartment dwellings must be made as convenient as solid waste services. The City must make it as easy to recycle as it is to dispose of solid waste. This is to give tenants the opportunity to recycle and put the onus on them for doing so. The Ordinance accomplishes this.

Brent Granger of Granger Company said they have two local drop off centers and a recycling center. They are an important part of the recycling service that is offered by the City. The DNR approved the ordinance drafted by the City and he objects to them telling the City that they will lose grant money if they do not force owners to have on site pickup. Other communities have been allowed to tailor their programs to the needs of the community, why not Lansing. The DNR is using strong arm tactics on this. The same options should be offered to both single and multi-family dwellings.

Virgil Bernero, Ingham County Commissioner in South Lansing congratulated Council on the residential recycling program. It is something to be proud of. We are leading the State in this area. Everyone can be proud of this program. Now we have to move forward and offer on-site pickup to apartment dwellers. Anything less is unfair. He urged Council not to make it too difficult for people to do the right thing. They will not drive across town to a collection center. Apartment dwellers deserve the same program as single family dwellings.

Ellen Moore of 1620 Osband suggested that apartment owners and the City sit down and discuss this more fully to work out a system that will better serve everyone involved.

Vern Letts of 730 Community said the City can make a lot of money from recycling. These materials are valuable.

Betty Kost of 1425 McIntyre Court said that Council did not push for recycling in the first place. She received a letter from Council opposing the ballot proposal.

Harold Leeman of 529 N. Francis commended Marshall Klaus for doing a remarkable job given the resources he has had to work with. He should be backed up with a little more staff. He remarked that Councilmembers Belen and Schmidt are not "into" recycling, but cautioned them to remember when they drive by the big land fill on I-96 that we are not putting as much in there anymore and we are not polluting as much as we used to do. Let's get on with this and give Mr. Klaus your support. Do not make people drive out to Granger.

Keith Besters of 1213 Victoria Drive spoke in support of this ordinance, but he said, the City did not meet its' goal to reduce solid waste by 50% because they did not offer the program to apartment dwellers. They must get past this impasse to achieve the 50% goal. They have to provide on-site recycling for residents of apartments. They are not going to drive 20 miles to drop off their materials. Focus on the goal that the City originally set for itself.

Councilmember Schmidt asked Marshall Klaus to explain more about the pickup of Christmas Trees for apartment dwellings. If people in apartment complexes put out trees, will they be picked up? Mr. Klaus replied that if a resident does not pay the $55.00 fee then they are not entitled to this service. Even those single family residents who have elected to take the deduction for the composting fee are not eligible because this is part of the yard waste program. Only people who have paid the full $55.00 recycling/composting fee are eligible to participate in the Christmas Tree pickup.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE AND THE COMMITTEE ON WAYS AND MEANS

Council President Canady declared a 5 minute recess at 8:35 P.M.

Council reconvened at 8:45 P.M.

C. Consideration of an Amendment to Part 14, Chapter 1424, Section 1424.01 of the Code of Ordinances for the Purpose of Providing for Adoption of the 1993 Edition of the National Electrical Code

David Stewart of 1905 Abbott Rd., E. Lansing, Michigan, Manager for Hamco Management said he would like to be able to review just the changes in the code so they have an idea of what changes they have to comply with. Mr. White, Chief Electrical Inspector for the City of Lansing said this is a routine update that comes about every three years to keep abreast of the National Electric Code. Copies of the Code are available in the Building Department.

Councilmember Belen requested that a short form be developed that lists just the changes.

Lloyd Teets of 116 E. Elm St. said that this community has a real problem with affordable housing. It is aggravated by the continuous updating of these codes every three years. There is no education about the amendment offered. He wants people to know that the Council has not read these changes, nor do they understand them, but they are going to pass them.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

PUBLIC COMMENT

There were no public comments

SPECIAL CEREMONIES

There were no Special Ceremonies

COMMUNICATIONS AND PETITIONS

By Councilmember Benavides

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Canady

Carried unanimously

A. Letter from James Hengstebeck, Principal of Elmhurst School, Regarding the Hazardous Traffic Condition at the Corner of Marion and Woodbine

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD

B. Letter from May Fitzgerald, Trustee for Lansing Charter Township, thanking City Councilmembers for their Assistance in

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

the Purchase of Fairview Park

RECEIVED AND PLACED ON FILE

C. Letter from Ronald Haas, Vice-President of Adams Outdoor Advertising, Regarding a Lawsuit Filed Against Them by the City

REFERRED TO THE CITY ATTORNEY AND
THE COMMITTEE ON PHYSICAL DEVELOPMENT

D. Notice from the Department of Natural Resources of a Permit to Construct in the 100 Year Floodplain of the Grand River Issued to the City Planning Division for Expansion of the Existing Lansing Center

REFERRED TO THE MAYOR

E. Notice from the Department of Natural Resources of Receipt of an Application from the Board of Water and Light for Reissuance of a National Pollutant Discharge Elimination System Permit (NPDES)

RECEIVED AND PLACED ON FILE

F. Claim Received from the Ram Star Group for Reimbursement of Expenses Incurred in the Processing of a Class C License with Dance Permit

REFERRED TO THE CITY ATTORNEY

G. Financial Statements, and Supplemental Data with Independent Auditors Report Received for the Lansing Housing Commission

REFERRED TO THE MAYOR AND
THE COMMITTEE ON WAYS AND MEANS

H. Letter from Woodrow Stanley, Mayor of Flint, Michigan, Thanking City Clerk James Blair for his Support During Mayor Stanley's Campaign for the National League of Cities Board of Directors

RECEIVED AND PLACED ON FILE

I. Letter from Shirley J. Murray, President of the South Central Neighborhood Organization, Recommending that City Council Name Deputy City Clerk, Marilynn Slade, to Serve the Remaining Term of the City Clerk

REFERRED TO THE COMMITTEE OF THE WHOLE

J. Petition Signed by 26 Residents of the City Asking that the City be Made a Zone Free of Assisted Suicide

REFERRED TO THE MAYOR AND
THE COMMITTEE ON GENERAL SERVICES

K. Petition Signed by 29 Residents of the City Requesting that the City Deny Access of Homosexuals to Positions of Leadership in the Community

REFERRED TO THE MAYOR AND
THE HUMAN RELATIONS BOARD

L. Letter from Vera Watts, P. O. Box 11099, Lansing, Requesting that the City Change the Name of Saginaw Highway to "Pendleton, Laton"

REFERRED TO THE MAYOR

M. Letters Regarding the Move of Learning Care, Inc. to the YWCA Received from Dan Stouffer and Yvonne Christopher

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD

MAYOR'S COMMENTS

Mayor Crawford congratulated Council President Canady and Vice President Brockwell on their elections. He outlined Mayor McKane's letters on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk Submitting Routine Applications for Action on Licenses and Bonds:

RESOLUTION #002
January 4, 1993

Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Lawrence Dayton Murphy, David Herron, Scott David Schlosser
NEW SDM LICENSE: Naphis A. Mitchell

Sincerely,
James D. Blair, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

1. Letter from the City Clerk Notifying Councilmembers of the Availability of Minutes from Council Proceedings of December 14, 1992 for Review

RECEIVED AND PLACED ON FILE

2. Notice Received from the Liquor Control Commission Denying the Request of The Ram Star Group to Transfer a 1992 Class C Liquor License with Dance Permit

REFERRED TO THE CITY ATTORNEY

3. Notice Received from the Liquor Control Commission Affirming the Denial of a Request for Transfer of Ownership of a 1988 SDD License with Sunday Sales Permit to Wal-Mart Stores, Inc.

RECEIVED AND PLACED ON FILE

C. 1993 Human Relations Board Evaluation Received from Richard Letts, Human Relations Director

RECEIVED AND PLACED ON FILE

D. Letters from the Mayor re:

1. Proposed Acquisition of Property in the South Central Neighborhood Area

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT AND
THE COMMITTEE ON WAYS AND MEANS

2. Appointment of Robert E. Clegg, P.E. as City Representative to be Responsible for Grants and SRF Programs Awarded to the City of Lansing by the Department of Natural Resources and U.S.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Environmental Protection Agency, and to Represent the City in Transactions with the Michigan Department of Transportation

REFERRED TO THE COMMITTEE OF THE WHOLE

3. Uniform Fire Code

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

4. Resolution for Exchange of Property Between the Board of Water & Light, the City of Lansing, and Lansing Charter Township

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

5. River Point Master Plan Amendments

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

6. Resolution Authorizing Sale of City Property—Lots 5 and 6 of A. O. Bement's Replat and Addition

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

7. Resolution Authorizing Sale of City Property—Lot 59, City Park Subdivision

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

8. Letters of Appreciation from W. E. Maldonado, M.D., Jonathan E. Maire, and the Food Bank of Oakland County

RECEIVED AND PLACED ON FILE

9. Letter of Appreciation and Support from Douglas W. Griffith, Business Manager, Plumbers and Pipefitters Local No. 388

RECEIVED AND PLACED ON FILE

10. Letter from HUD regarding Comprehensive Housing Affordability Strategy, City of Lansing

RECEIVED AND PLACED ON FILE

11. U.S. Conference of Mayors "Report to the Nation on Recycling in America's Cities"

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

12. Resolution Authorizing Sale of City Property to Clara's, Inc.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

13. Letter from Ronald C. Haas, Adams Outdoor Advertising, regarding the Billboard at 701 East Oakland

RECEIVED AND PLACED ON FILE

14. Letter from Joseph Pandy, Jr. General Manager of Board of Water & Light, Responding to Comments Made by Mr. Lloyd Teets at City Council Meetings

RECEIVED AND PLACED ON FILE

15. Change of Intent Purchase of Value Pass Card (V.I.P.) Equipment for Department of Transportation

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

16. Resolution Authorizing Release of Joint Driveway Easement (600 Block of West Shiawassee)

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

17. Letter of Appreciation from Governor John Engler

RECEIVED AND PLACED ON FILE

18. Parking Regulation Change Request: Holmes Road, Irvington Avenue and Ruth Street

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

19. Parking Regulation Change Request: Spencer Street

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

20. Road Closure Request: Frandora Hills Subdivision

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

21. Traffic Control Request: Gier Street

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

22. Traffic Control Request: Autumn Lane and Tulane Drive

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

23. Traffic Control Request: Forbes Street and Spencer Avenue

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

24. Traffic Control Request: Clifton Avenue and Harding Avenue

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

25. Letter of Appreciation from Sandra Sutton, General Manager, Lansing Symphony Orchestra

RECEIVED AND PLACED ON FILE

26. Letter of Appreciation from Delma Lopez, President, Lansing Housing Commission

RECEIVED AND PLACED ON FILE

27. Sale of Leased Parking Lot to Pere Marquette Group

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

28. Purchase of Undeveloped Land North of the Parking Lot on the East Side of Pere Marquette Street

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

29. Letter of Appreciation from Ron Hartman, Continental Cablevision of Michigan, Inc.

RECEIVED AND PLACED ON FILE

30. Letter of Appreciation from Rod and Pepper Magyar

RECEIVED AND PLACED ON FILE

31. Letter of Appreciation and Final Reports by National League of Cities Task Force on Cities' Roles in Education

RECEIVED AND PLACED ON FILE

32. Establishment of New Consulate General of Japan

RECEIVED AND PLACED ON FILE

33. Appointment of Geno Sal Gani to Downtown Mall and Environs Advisory Board

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

34. Appointment of Paul Smith as Ex-Officio Member of Downtown Mall and Environs Advisory Board

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES (INFORMATION ONLY)

35. Reappointment of William Barkyoumb to Police and Fire Retirement Board

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

There were no Committee Reports

RESOLUTIONS

There were no Resolutions other than the Resolution Electing Council President and Vice President (see page 1)

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Benavides a request to suspend the rules to allow for the election of Council President and Vice President by resolution directly following the Invocation and Pledge of Allegiance

THE RULES WERE SUSPENDED AND THE ELECTION OF COUNCIL PRESIDENT AND VICE PRESIDENT WAS CONDUCTED IMMEDIATELY FOLLOWING THE INVOCATION AND PLEDGE OF ALLEGIANCE

2/ From Councilmember Benavides a letter from the Small Folks Development Center regarding parking in front of their building

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD (FOR IMMEDIATE ACTION)

3/ From Councilmember Belen a letter from Mayor McKane regarding the extension of Sanitary Sewer Service to Lansing Charter Township

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

MAYOR'S COMMENTS

Mayor Crawford thanked everyone who sent him cards and well wishes. He predicted the coming year to be a long and difficult one. However, he looks forward to working through the problems with his colleagues and everyone in City Hall. He announced that the Cadillac provided for the use of the Mayor will be going up for sale. He will not be driving a city car. He has looked into the prospect of eliminating the city car provided to the Clerk, and both candidates for the City Clerk position have assured him that they are both willing to forego the use of a city vehicle. He plans to eliminate all city cars.

COUNCILMEMBER'S COMMENTS

Councilmember Schmidt welcomed Mayor Crawford and thanked him for his announcements. She wished him well for the upcoming new year. Happy New Year to everyone in the audience.

Councilmember Beal agreed that the year ahead will be a difficult one. She stated her concern about the retention of outside legal counsel to represent the City in the early retirement law suit. She is concerned that City government operates according to the City Charter to insure that a system of checks and balances is in place. She feels this system of checks and balances has been ignored somewhat in the past. She said the Law Department retained outside legal counsel without the approval of City Council. This is in violation of 4.304 of the City Charter which specifies that outside legal counsel may not be retained without prior approval of Council. This requires that Council first request a written opinion from the City Attorney. Her concern is that this procedure was not followed as prescribed by Charter, it was done in reverse and funds have not been appropriated. She asked Councilmember Benavides if the City Attorney's Office has the funds to pay for this representation. Councilmember Benavides responded that he has no information as to the City Attorney's Office balance in this particular account. The City Attorney, he said, was named in this law suit. He has to appoint outside legal representation from the list of attorneys previously approved by Council resolution. Councilmember Beal said this issue had better be taken up at the first opportunity.

Councilmember Belen objected to Councilmember Beal's remarks. She (Beal) did not object when outside legal counsel was selected to represent the city in their lawsuit against the adult entertainment bookstore. Outside attorneys who specialize in certain types of practice are routinely selected to represent the city in specialized suits. She wished good luck to Mayor Crawford and pledged her support to him.

Council Vice-President Brockwell thanked everyone for electing him. He pledged his support to Mayor Crawford and asked him to look into a complaint about Mt. Hope and Evergreen Cemetery gates being left unlocked at night. Perhaps on duty Police patrols could check them as they drive by.

Councilmember Ford congratulated Council President Canady, Council Vice President Brockwell, and Mayor Crawford. He apologized for arriving late. He had to meet his son's plane and it was late arriving. He told Councilmember Beal that the City Attorney gave them a list of outside legal representatives for approval for just such a situation. Without pre-approved outside legal representation they would not have had legal representation available to them in this lawsuit. The City must not get caught without proper legal representation. He commended Mayor Crawford for his decision about the Cadillac and approved his plan to meet with Doctor Halik of the School District. He asked that Mayor Crawford approach the School District about possibly using their middle school facilities for activities that the City is hosting at Kingsley Community Center. The participation in these programs has outgrown Kingsley's ability to accommodate them. If they could get approval to use Dwight Rich, Otto, or Pattengill Middle School facilities it would be a big help to the City.

Council President Canady reported that there was a special meeting called for December 29, 1992 to go into executive session regarding this situation. There was not a quorum available, that is why they have pre-approved lists of legal representation available. There was no violation of the City Charter and nothing unethical occurred in this situation.

CITIZEN'S COMMENTS

Gerald Graves of 1623 S. Genesee Drive, former Mayor of the City

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

of Lansing said that some weeks ago he informed Council about a situation with an elected official that was in default to the City and therefore, not entitled to a retirement bonus. Since he reported this situation, this individual has paid his property taxes and it is too late for Council to do anything about it. He wants to know why this individual ordered a City Identification badge and wallet and charged it to a city account last month. Rumors are going around about a Councilmember taking a trip to Chicago or Detroit in a limousine paid for by the City, and one about income tax receipts being left out in the open for a week. What is going on? City Attorney Knot responded to his questions regarding the default of City Clerk James D. Blair. He investigated Mr. Graves complaint and found that Mr. Blair as well as Mr. Ferguson were indeed in default to the City. He informed these individuals that according to State statute the City could not enter into a contract situation with someone in default to it. He informed Mr. Blair that he would not receive any pension benefits until such time as his property taxes were brought up to date. Mr. Blair subsequently paid his past due property taxes. He also informed Mr. Ferguson that the City could not enact the Civic Center deal until such time as Mr. Ferguson's property taxes have been paid. He offered to send Mr. Graves a copy of his written opinion. Councilmember Ford assured Mr. Graves that he would ask the Finance Department to send him a copy of the actuarial report if possible. If this is not possible, he will ask to be notified so that he can work out something else.

William Bernstein of 420 Baker St. said that the City takes money from the poor and gives it in the form of retirement benefits to their comrades in the early retirement program. He complained about his friends being denied their right to speak at meetings and being yanked out of council chambers.

Shirley Murray of 1740 Bradley, President of the South Central Neighborhood Organization inquired into the purchase of equipment they requested for their neighborhood. When will this request be taken up. Councilmember Benavides promised that Council Staff would notify her when their request comes before committee.

Frank Curtis of 1137 W. Allegan said that Assistant City Attorney Burt Burleson represented the City in their actions against him. His cases were dismissed and the Attorney's office provided him with claim forms to file for reimbursement. When will the City address his claim, and why did Council mess with him?

Del Maynard of 2017 Culver said that the City Attorney could have appeared before the judge in the early retirement lawsuit and stated that the case would put him in a conflict of interest situation, and the judge would have given him time to procure outside legal representation. In this case, the power of City Council has been subverted. Maybe Council pre-approved a list of attorneys for legal representation, but the City Attorney should not have spent the money without Council's approval. He suggested that Mayor Crawford discontinue the Mayor's prayer breakfast and that the Ethics Board be re-aligned so that they have some kind of power when a conflict of interest situation occurs with a member of the Board.

Council President Canady adjourned the meeting for disruptive behavior on the part of the audience at 10:00 P.M.

MARILYNN SLADE, ACTING CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, January 11, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
January 11, 1993

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Canady

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Belen

MINUTES

By Councilmember Belen

To approve the Printed Council Proceedings of December 7, and December 14, 1992

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Benavides

To accept the following under suspension of the rules:

1/ From Councilmember Benavides a resolution for a Transfer of Funds to the City Attorney's Office

2/ From Councilmember Ford a recommendation from Mayor Crawford that Trash Violation Fees be placed on the tax rolls

3/ From Councilmember Ford a request for suspension of the rules to allow for passage of a Resolution amending Council Rule #19 directly following the first Public Comment portion of tonight's agenda

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. To consider approval of an Industrial Facilities Exemption Certificate (IPR-03-92) Lansing Sanitary Supply, Inc. 1445 S. Washington Ave.

Lloyd Teets of 116 East Elm called for a point of order, Council Rules allow for speakers to address Council for 3 minutes each under Public Comments at the end of the Agenda. He has a list of speakers that were not allowed to speak last week. Council President Canady informed Mr. Teets that the time to speak to this issue is during the last Public Comment portion of the Agenda.

There were no speakers for this Public Hearing

REFERRED TO THE COMMITTEE ON
ECONOMIC DEVELOPMENT

PUBLIC COMMENT

Howard Jones of 426 W. Barnes said that Rule #19 of Council Rules should be completely overhauled, not just as it applies to applause. Citizens do not need a rule that tells them how to conduct themselves and speak to Council. City Council should respect and welcome citizens comments. Council is set up on a pedestal at the dais and should be moved back down to floor level so that they do not intimidate people. The raised platform should be reserved for honored guests and members of the media. Applause works both ways. Council has applauded at different times and citizens should be able to applaud speakers that they are in agreement with. Citizens have to make sure that the business of Council is conducted in open meetings and not behind closed doors. They almost lost the Board of Water & Light because of closed door meetings. Councilmember Ford announced that the issue of Council Rules was referred to the General Services Committee. They will be taking a look at all of the Council Rules beginning Wednesday.

Blagoy Pogoncheff of 1509 E. Grand River Ave. said he attended a meeting of the Ethics Board several weeks ago in which Chairman, John Mertz was harassed and accused of having a conflict of interest by a couple of hired guns. Councilmember Beal was present at the meeting and she asked them who they were. They claimed to have been hired by the City of Lansing. Now Council will try to approve a transfer to pay for these lawyers.

Frank Curtis of 1137 W. Allegan said he was arrested under the authority of Rule #19. His kids were with him that night. This was a violation of his rights. Policemen had to take his kids home after his arrest. What prompted Rule #19? He will not allow the City to violate his rights again. They also violated the rights of his children that night. Council had better start treating people right.

Helen Bailey of 1622 Cooper asked if she had lost her constitutional rights because she is a member of the UAW, or, because she is married to a member of the UAW? Applause, she said, is a form of communication. It is approval for the speaker. When people make statements and applause follows this obviates the need for other people to take the time to come up and say the same thing. It only takes common sense to determine that John Mertz has no conflict of interest. She disagrees with the way Council treats people. They are supposed to represent the citizenry, not a handful of city employees.

Tom Downs, Attorney, said he is appearing on behalf of John Mertz, Chairman of the Board of Ethics. The Ethics Board is separate from and independent of Council and must remain so in order to be effective. Council cannot take over the functions of the Ethics Board. The Ethics commission must remain separate from Council and must continue to do their duty as required by Charter. They must be allowed to read the Charter, read the law, and act accordingly.

Lloyd Teets of 116 E. Elm St. said he would be unable to address all

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

of the action items that he would like to in just the five minutes allotted to him. He wanted to go to Court to allow them to settle the issue of enforcement of Rule #19, but the City dismissed the charges against him. Council cannot come up with the money for a time clock for the public, but, they will approve a $125,000 transfer to the City Attorney so he can fight the citizens of the City. The Ethics Board acts in an advisory capacity only. Why does Council want to interfere with an advisory board? Councilmember Canady is involved in a conflict of interest situation himself. Joel Ferguson made campaign contributions to Canady's campaign for Council, yet, he (Canady) does not abstain from voting on issues involving Mr. Ferguson. Council President Canady objected to this statement, saying he always excuses himself on issues involving Mr. Ferguson.

Mary Haney, no address given, said in the past she has been able to walk away from her differences with Council on good terms, but not anymore. She does not like the way President Canady looks. The public is not intimidated by speakers like Mr. Teets, they are intimidated by President Canady.

Gary Andrews of 560 Brookland Blvd. accused Councilmember Brockwell of attacking him at the Committee of the Whole meeting and threatening him with physical violence. He asked Council to censure Vice-President Brockwell and remove him from office for violating the public trust and the City Charter by threatening him. He demanded that the Board of Ethics be impaneled to investigate these threats against him.

Sheila Rouse, 1137 W. Holmes, said she feels that she is not being listened to and she is very disappointed in Council. Actions speak louder than words, she said. She knows now that she must look closely at Councilmembers track records before voting for them. All the people want is to see the plan that proves the City will save money.

Douglas Fairbanks of 107 May St. said there were a lot of serious people here tonight that could give classes in how to bellyache. He said it is a privilege to speak in these Chambers and receive applause. He sees President Canady smile all the time. He suggested that the audience limit their applause to a short display.

Harold Leeman of 529 N. Francis said that John Mertz, Chairman of the Ethics Board, outsmarted Council by hiring Mr. Downs to be his lawyer. He is a very well respected, well thought of member of the legal community. The Ethics Board is only an advisory board, there is no reason for all of this. He asked Councilmember Ford to have his committee review all of Council Rules and give the public a time table for completion of this project. The resolution on 1993 Golf Fees does not list 1992 rates so people cannot do a comparison. How much is the increase? Councilmember Brockwell answered that daily fees are going up $1.50, and senior fees are going up $50.00 per pass. Councilmember Ford said that his committee will look at the Council Rules issue this Wednesday. He wants as much public input as possible and everyone interested is invited to attend.

Del Maynard of 2017 Culver said that applause is a form of approval for what the speaker has said. This is a form of communication with Council, a way of telling them that they agree with the sentiment expressed. The important thing is that the audience observe decorum and that no one is booed or hooted at to the point that they cannot make their statement. The request for an opinion from Judge Stell should include anyone else that could have a possible conflict of interest involving this issue. The money to pay the hired attorney's should be paid by the person who hired them.

Councilmember Ford read Resolution #003 as follows:

RESOLUTION #003
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the City Council Rules, most recently revised on March 9, 1992, be amended by deleting the word "clapping" from Rule 19, Section 2, Paragraph C, to make the paragraph read as follows:

"C. Members of the audience. No person in the audience at a Council meeting shall engage in disorderly or boisterous conduct, including the utterance of loud, threatening or abusive language, whistling, stamping of feet, or other acts which disturb or otherwise impede the orderly conduct of any Council meeting or of any speaker. Any person who conducts himself or herself in the aforementioned manner shall, at the discretion of the Presiding Officer or a majority of Council, be removed from the Council Chambers during the meeting."

January 11, 1993

By Councilmember Ford

To accept a friendly amendment to investigate the possibility of purchasing a time clock visible to public speakers to allow them to keep track of their speaking time, and to place an affirmative roll on the resolution as amended

Carried unanimously

SPECIAL CEREMONIES

A. Councilmember Ford announced that Javier Cavazos was not present to accept this resolution of tribute tonight, however, he would like to review Mr. Cavazos' contributions as a sponsor of Youth Basketball programs. His (Ford's) son plays in one of these organizations.

B. Councilmember Ford presented a Resolution of Tribute to Jessica Elizabeth Washington. She has been asked by President Elect Clinton, to be in his Inaugural Parade. She Rides with the '00 Riders'. She and her mother, Janet, have been riding with the '00 Riders' for years. She is also an all A student at Lewton Elementary School. Her Principal at Lewton Elementary, Steven Hector, will be joining her in the parade at her request. Jessica thanked Councilmember Ford for the tribute to her and said she is very happy to be representing the State of Michigan and the City of Lansing in the parade.

COMMUNICATIONS AND PETITIONS

By Councilmember Schmidt

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Canady

Carried unanimously

A. Letter from the Tri-County Regional Planning Commission regarding City of Lansing Appointments to the Commission

REFERRED TO THE COMMITTEE OF THE WHOLE

B. Michigan Tax Tribunal Appeal from Michael J. Crowley, subject

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

property 33-05-04-277-012

REFERRED TO THE CITY ATTORNEY

EXECUTIVE ASSISTANT TO THE MAYOR COMMENTS

Mr. Boyd outlined Mayor Crawford's letters on tonight's agenda

CITY OFFICER AND BOARD REPORTS

A. **RESOLUTION #4**
January 11, 1993

President Canady and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Philip Mark Klausing

Sincerely,
Marilynn M. Slade, Acting City Clerk
City of Lansing, MI

BY Councilmember Ford

To accept the recommendations of the Acting City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

1. Letter from the Acting City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of January 4, 1993 for Review

RECEIVED AND PLACED ON FILE

2. Letter from the Acting City Clerk notifying Councilmembers of the cancellation of voters who meet the criteria for cancellation for 5 Year Inactivity

RECEIVED AND PLACED ON FILE

C. City of Lansing Comprehensive Annual Financial Report for Fiscal Year Ended June 30, 1992

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

D. Letters from the Mayor re:

1. Acceptance of Dedication, MSU Corporate Research Park

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

2. Budget Transfer to Develop Storm Sewer Enterprise Fund

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

3. Request to Establish Industrial Facilities Exemption Certificate-(IPR-03-92)

REFERRED TO THE COMMITTEE ON ECONOMIC DEVELOPMENT

4. Housing Enterprize Zone Legislation and Request for Designation of Zones

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

5. Sale of Property, Pere Marquette St.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

6. Public Improvement V, Actual Cost Special Assessment Roll B49

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

7. Public Improvement V, Actual Cost Special Assessment Roll B50

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

8. P-01-89, Jet Place Final Plat Extension and Revisions

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

9. Z-21-92, 5700 Aurelius Road "H" Light Industrial and "J" Parking Districts to "H" Light Industrial District

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

10. Z 9 91, 110 S. Clifford St., "C" Residential to "J" Parking District

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

COMMITTEE REPORTS

RESOLUTION #5
THE COMMITTEE ON PUBLIC SAFETY, to whom was referred a request from a citizen at the Council meeting of December 7, 1992, to investigate conditions for pedestrians on King/Logan due to Capital Loop reconstruction,

REPORTS AS FOLLOWS: During Committee discussion, the Transportation Engineer agreed to contact the Capital Loop Project Manager to discuss pedestrian safety concerns. The Seven-Block Area Redevelopment Plan, currently under consideration by this Council, says that after deveopment of the Commercial Area called for in the plan, a pedestrian survey will be conducted to determine the need for a new pedestrian overpass over King/Logan. This report is for information only, and no Council action is required.

Signed: Alfreda Schmidt
Tony Benavides
Charles Ford

January 11, 1993

BY COUNCILMEMBER SCHMIDT:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #6
THE COMMITTEE ON PUBLIC SERVICES, to whom was referred an Ordinance to amend Part 14, Chapter 1424, Section 1424.01, of the Code of Ordinances of the City of Lansing for the purpose of adopting the 1993 Edition of the National Electrical Code,

REPORTS AS FOLLOWS: That said Ordinance be adopted.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Signed: Bob Brockwell
Tony Benavides
Ellen Beal
Committee on Public Services

BY COUNCILMEMBER BROCKWELL:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

January 11, 1993.

RESOLUTION #7
THE COMMITTEE ON WAYS AND MEANS, to whom was referred the request to utilize residual equipment and salary funds, in the amount of $13,318 for the purpose of purchasing and installing Value Pass equipment in the South Capital Ramp,

REPORTS AS FOLLOWS: This equipment will be utilized to provide transient users of the parking system a pre-payment option allowing them to use any of the City's four parking ramps, at their convenience. Currently, value pass equipment has been installed in the North Capital and North Grand ramps, and is being installed in the South Grand ramp with current year funding. Residual funds have been identified within current year Parking Fund appropriations due to the elimination of one Parking Enforcement Worker position and the purchase of used equipment in lieu of requested new equipment.

Pursuant to the City's Budget Monitoring Policy, the use of residual equipment and salary funds must have previous Council approval.

The Committee has reviewed this request and hereby recommends approval by the Council.

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

That the report of the Committee be approved.

CARRIED UNANIMOUSLY

January 11, 1993.

RESOLUTION #8
THE COMMITTEE ON PHYSICAL DEVELOPMENT to whom was referred the final version of the Willow-Pine Area Plan, as recommended by the Mayor and Planning Board,

REPORTS AS FOLLOWS: The Committee received a detailed presentation on the plan from the Planning Staff and is still currently reviewing the document. The Committee requests all Councilmembers to read the plan and familiarize themselves with the major issues over the next several weeks. This report is for information only, no Council action is required.

BY COUNCILMEMBER BELEN:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

January 11, 1992

RESOLUTIONS

RESOLUTION #9
BY COUNCILMEMBER CHARLES FORD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Great Lakes Region of the National Youth Basketball Association was initiated in 1988 to promote youth basketball activities both in the Great Lakes Region and across the United States, and

WHEREAS, MR. JAVIER CAVAZOS currently serves as not only the State Director, but also as the Regional Director of the National Youth Basketball Association, dedicating his time and effort to helping youth develop the necessary skills to succeed in the framework of organized sports and, through organized sports, in developing the necessary skills to successfully handle all that life may offer, and

WHEREAS, on the weekend of January 9th and 10th, 1993 all State Directors of the Great Lakes Region will meet at the Holiday Inn West here in Lansing, Michigan.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council, sitting in regular session this 11th day of January, 1993 hereby commends MR. JAVIER CAVAZOS and all the State Directors of the Great Lakes Region for their dedication to the youth of our community, our state, and our region.

January 11, 1993.

BY Councilmember Ford

Carried unanimosuly

RESOLUTION #10
BY COUNCILMEMBER CHARLES FORD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on January 20, 1993, the Double 00 Riders Association, which is a horseback-riding group established to serve inner-city and disadvantaged youth, will be one of two organizations selected to represent the State of Michigan in the Presidential Inaugural Parade in Washington, D.C.; and

WHEREAS, the association's parade unit will include 25 men, women and children, and the State of Michigan Flag will be carried by nine-year-old Jessica Elizabeth Washington, who is an all-"A" student at Lewton Elementary School as well as a member of the Lansing Public School Choir; and

WHEREAS, Jessica has ridden in local and nationally-televised parades, and will be joined in the Presidential Inaugural Parade by her mother, Janet Howard Washington, who currently serves as vice president of the Double 00 Riders Association;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 11th day of January, 1993, hereby commends and congratulates Jessica Elizabeth Washington upon her selection to carry the State of Michigan Flag as part of the Double 00 Riders Association delegation participating in the Presidential Inaugural Parade in Washington, D.C.

By Councilmember Ford

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Carried unanimosuly

RESOLUTION #11
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Mr. Carl Perry filed a claim against the City of Lansing in the amount of $2,625.00 for recompense for breaking his tooth during a softball game he was playing at Gier Park; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the claim and the staff recommendation were reviewed by the Committee on General Services; and

WHEREAS, the Committee determined that there was absolutely no causation attributable to the City of Lansing; and

WHEREAS, the Committee recommends that the claim be denied;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with the recommendation of the Committee on General Services to deny the claim of Mr. Carl Perry; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

January 11, 1992

By Councilmember Ford

Carried unanimously

RESOLUTION #12
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, February 1, 1993 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing proposed Special Land Use permits

SLU-11-92—1001 North Capitol Avenue, 1012, 1022 and 1024 North Seymour Street and 221-225 West Maple Street

SLU-12-92—1012, 1022 and 1024 North Seymour Street and 221 225 West Maple Street

SLU-13-92—1022 North Capitol Avenue (vacant parcel) and 1026 North Capitol Avenue

requested by Theodore M. Reuschel representing Emmanuel First Evangelical Lutheran Church and School.

BY Councilmember Belen

Adopted by the following vote:

YEAS: 7

NAYS: 0

ABSENT: 0

VACANT COUNCIL AT LARGE SEAT: 1

RESOLUTION #13
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, February 8, 1993 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing a proposed Special Land Use permit, SLU-16-92, requested by Reverend Jeffrey Pakone of Teen Challenge, for the property located at 224 West North Street.

By Councilmember Belen

Adopted by the following vote:

YEAS: 7

NAYS: 0

ABSENT: 0

VACANT COUNCIL AT LARGE SEAT: 1

RESOLUTION #14
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing and Charter Township of Lansing have found it to be of mutual benefit to have the City provide sanitary sewer service to properties located in Lansing Township; and

WHEREAS, the Public Service Department recommends that the City now enter into a interim Sanitary Sewer Service Agreement with Charter Township of Lansing; and

WHEREAS, there is a third party lawsuit filed with the United States District Court against Lansing Charter Township and the City of Lansing asserting the Landel Sewer System Agreement prevents the City from Collecting Utility Equity Investment Fees from Lansing Township residents; and

WHEREAS, it is the City of Lansing's position that the Landel Metropolitan Agreement is not in effect; and

WHEREAS, it is a requirement of the City of Lansing's National Pollution Discharge Elimination System Permit that the City have a Sewer Service Agreement with all Governmental agencies served by the sewer system; and

WHEREAS, a interim sewer service agreement with the same terms as the agreements the City has with other Charter Townships served by the Lansing Sewer System has been prepared; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of Lansing hereby approves the interim Charter Township of Lansing Sanitary Sewer Agreement; and

BE IT FURTHER RESOLVED the Mayor is authorized to sign the interim Charter Township of Lansing Sanitary Sewer Agreement subject to approval by the City Attorney, contingent upon the approval of this agreement by the Charter Township of Lansing Board.

By Councilmember Belen

Carried unanimously

RESOLUTION #15
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 92-046, which authorizes the installation of a 4-way stop at the intersection of East Gier Street and Seventh Avenue.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

By Councilmember Schmidt

Carried unanimously

RESOLUTION #16
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 92-047, which authorizes the installation of a no parking zone, 7:00 a.m. to 4:00 p.m., school days, on the east side of Spencer Street between Michigan Avenue and Ottawa Street.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #17
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Numbers 92-048, 92-049, and 92-050, which authorize the installation of a no parking zone, a special parking zone, and a tow-away zone on Holmes Road, Irvington Avenue, and Ruth Street.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #18
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 92-051, which authorizes the installation of yield signs on Forbes Street at Spencer Avenue.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #19
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 92-052, which authorizes the installation of stop signs on Clifton Avenue at Harding Avenue.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #20
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 92-054, which authorizes the installation of a yield sign on Autumn Lane at the intersection of Tulane Drive. By Councilmember Schmidt

Carried unanimously

RESOLUTION #21
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Geno Sal Gani to the Mall Advisory Board for a term to expire February 1995, is hereby confirmed.

January 11, 1993

By Councilmember Brockwell

Carried unanimously

RESOLUTION #22
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, in the FY 92-93 Budget deliberations, the City Council resolved to increase Golf fees in order to recover all direct and indirect costs of operating City golf courses, and

WHEREAS, the Parks and Recreation Department has submitted a comprehensive fee structure for the 1993 season which is designed to accomplish the goal of full cost recovery, and

WHEREAS, despite the proposed fee increases, costs for playing Lansing municipal courses will continue to be below that charged by most area golf facilities.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the attached schedule of golf fees and charges, to take effect January 12, 1993.

January 11, 1993.

By Councilmember Benavides

Carried unanimously

BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE LANSING CITY COUNCIL
1993 GOLF FEES

Groesbeck Golf Course		Waverly Golf Course	
9 holes	$8.00	9 holes	$6.50
18 holes	$15.00	9 senior	$4.50
9 senior	$6.00	9 junior	$4.50
18 senior	$11.00	Twilight	$5.00
9 junior	$6.00		
18 junior	$11.00		
Twilight	$6.50		

Red Cedar Golf Course		Sycamore Golf Course	
9 holes	$6.00	9 holes	$5.00
9 senior	$4.50	9 senior	$4.00
9 junior	$4.50	9 junior	$3.50
Twilight	$4.50	Twilight	$3.75

Senior Golf Passes

Gold Pass	
Resident	$400.00
Non-resident	$500.00

Silver Pass	
Resident	$300.00
Non-resident	$350.00

Gold Pass is good at all four courses. Silver Pass is good at only 9-hole courses (Waverly, Red Cedar and Sycamore).

Senior-60 years and over
Junior-16 and under

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Item # XII F-2. Reappointment of William E. Barkyoumb to the Police and Fire Retirement Board, term to expire December 1997, was pulled from the Agenda at the request of Councilmember Benavides and referred to the Mayor's Office for review

RESOLUTION #23
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing, a municipal corporation, is currently in litigation in regard to the matter of the Early Retirement Plan; and

WHEREAS, as a result of this matter also being placed before the City of Lansing Board of Ethics, additional concerns have been raised regarding the objectivity and impartiality of several members of the Board of Ethics; and

WHEREAS, the intent of this resolution in no way implies that the regular business of the Board of Ethics be stopped or hindered in any way.

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council hereby requests special counsel to join a Declaratory Judgment Action or otherwise to take legal action with the pending lawsuit action regarding the Early Retirement Plan to seek the opinion of Chief Judge Carolyn Stell as to whether conflicts of interest exist among the members of the Board of Ethics when deliberating issues involving the Early Retirement Plan while sitting on the City of Lansing Board of Ethics.

January 11, 1993

By Councilmember Brockwell

To call the question to a vote on this issue

Adopted by the following vote:

YEAS: Councilmembers Belen, Benavides, Brockwell, Canady, Schmidt

NAYS: Councilmembers Beal, Ford

ABSENT: None

VACANT COUNCILMEMBER AT LARGE SEAT: 1

RESOLUTION #24
BY COMMITTEE OF THE WHOLE

WHEREAS, the Michigan Department of Natural Resources requires that the governing body appoint a designated representative to be responsible for, and to represent the City of Lansing, Michigan for Grants awarded to the City of Lansing, Michigan;

NOW, THEREFORE, BE IT RESOLVED that Robert E. Clegg, P.E., City Engineer, shall be the designated representative for the City of Lansing for the CMC Recycling Grant CM 3 33 00153 and the Site Reclamation Grant 92050300 with the Michigan Department of Natural Resources, effective January 5, 1993.

BY COMMITTEE OF THE WHOLE

WHEREAS, the Michigan Department of Natural Resources and the United States Environmental Protection Agency require that the governing body appoint a designated representative to be responsible for, and to represent the City of Lansing for EPA Grants and SRF Programs awarded to the City of Lansing, Michigan;

NOW, THEREFORE, BE IT RESOLVED that Robert E. Clegg, P.E., City Engineer, shall be the designated representative for the City of Lansing for the following programs:

SRF 5005-01
SRF 5005-02
C262705-02
C262705-03
C262705-04

with the Michigan Department of Natural Resources and the United States Environmental Protection Agency, effective January 5, 1993.

BY COMMITTEE OF THE WHOLE

WHEREAS, Act 51, Public Acts 1951, Section 247.663(7) as amended, requires the governing body to designate a single administrator to be responsible for, and to represent the City of Lansing, Michigan in all transactions with the Michigan Department of Transportation;

NOW, THEREFORE, BE IT RESOLVED that Robert Clegg, P.E., City Engineer, shall be the designated Act 51 Administrator for the City of Lansing, Michigan, effective January 5, 1993.

BY Councilmember Ford

Carried unanimously

RESOLUTION #25
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing will conduct its twelfth annual observance of the birthday of Dr. Martin Luther King, Jr., on Friday, January 15, 1993, from 12 noon to 1 PM in the City Council Chambers; and

WHEREAS, the theme of this year's observance is 'LIVING THE DREAM THROUGH JUSTICE, GOODWILL, AND BROTHERHOOD,' with a keynote address by Dr. Marylee Davis, Associate Vice President of University Relations for Public Service and Community Affairs, Michigan State University; and

WHEREAS, the Federal Act that established Dr. King's birthday as a national holiday suggested that the day be used as a time for Americans to reflect on Dr. King's dream of a society in which freedom, equality and justice can be enjoyed by all;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 11th Day of January, 1993, hereby welcomes the Residents of Lansing to the Council Chambers for the 1993 Observance of Dr. Martin Luther King, Jr.'s Birthday in the Capital City; and

BE IT FURTHER RESOLVED the Council urges all Citizens of Lansing to share Dr. King's dream and work toward justice, good will and brotherhood for all people.

BY Councilmember Ford

Carried unanimously

RESOLUTION #26
TO: Council President Mark Canady and City Councilmembers
FROM: James A. Crawford, Mayor
DATE: January 7, 1993

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

SUBJ: Trash Violation Fee (V-26)-2,443.86

The attached trash violation/assessment fees for removal of trash and debris in the R.O.W. are submitted with my concurrence for your review and appropriate action.

By Councilmember Ford

To accept the recommendations of the Mayor

Carried unanimously

RESOLUTION #27
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

$125,000 from Gen. Fd. Bal. A/C 101-0-390001-0
$125,000 to Law Dept.:
Budget Control A/C 101-172900-992200-0

(Additional funds required for the retention of outside legal assistance, to pursue litigation currently in progress, and for labor relations issues during a contract year)

I hereby certify that funds are available.

Douglas L. Rubley, Interim Finance Director

By Councilmember Ford

To ammend the resolution to allow for the transfer of $25,000 to the Law Department Budget Control Account and return the issue of the remaining $100,000 back to the Committee of the Whole for further discussion, and to require the City Attorney to prepare an estimated budget necessary for litigation by outside counsel for this matter

Motion defeated by the following vote:

YEAS: Councilmembers Beal, Belen, Ford

NAYS: Councilmembers Benavides, Brockwell, Canady, Schmidt

By Councilmember Benavides

To place an affirmative roll on the resolution as written

Motion defeated by the following vote:

YEAS: Councilmembers Belen, Benavides, Brockwell, Canady, Schmidt

NAYS: Councilmembers Beal and Ford

By Councilmember Ford

That the motion to amend the resolution be reconsidered, and that the resolution be amended to allow for the transfer of $25,000 to the Law Department Budget Control Account and return the issue of the remaining $100,000 back to the Committee of the Whole for further discussion, and that the City Attorney be directed to prepare an estimated budget on the cost of the litigation

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Schmidt

NAYS: None

ABSENT: None

VACANT COUNCILMEMBER AT LARGE POSITIONS: 1

ORDINANCES FOR INTRODUCTION

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-11-92—1001 North Capitol Avenue (portion thereof) to be rezoned from "J" Parking District to "C" Residential District

was introduced by Councilmember Belen, read a first and second time by its title and referred to the Committee on Physical Development.

RESOLUTION #28
By Councilmember Belen

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, February 1, 1993 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-11-92—1001 North Capitol Avenue, a portion of which is to be rezoned from "J" Parking District to "C" Residential District.

By Councilmember Belen

Carried unanimously

AMENDING PART 16, CHAPTER 1610, SECTION 1610.01

ADOPTION OF UNIFORM FIRE CODE AND STANDARDS 1991 EDITIONS

By Councilmember Schmidt

That the following ordinance of the City of Lansing, Michigan providing that the Code of Ordinances be amended by

Amending Part 16, Chapter 1610, Sections 1610.01 Providing for Adoption of the Uniform Fire Code and Uniform Fire Code Standards, 1991 Editions, Prescribing Regulations Governing Conditions Hazardous to Life and Property from Fire or Explosion; Establishing a Bureau of Fire Prevention and Providing Officers therefor and Defining Their Powers and Duties; To Provide for Certain Deletions, Modifications, or Amendments to Said Uniform Fire Code; To Establish Storage Limits for Certain Combustible Products and Explosives; and To Specify Penalties for Violations of Said Chapter

Was introduced by Councilmember Schmidt read a first and second time by its' title and referred to the Committee on Public Safety

RESOLUTION #29
RESOLUTION SETTING PUBLIC HEARING

By Councilmember Schmidt

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, February 1, 1993 at 7:00 P.M. in the City Council Chambers on the 10th Floor of Lansing City Hall located at 124 W. Michigan Avenue for the purpose of considering an Ordinance to amend Part 16, Chapter 1610, Sections 1610.01 Providing for Adoption of the Uniform Fire Code and Uniform Fire Code Standards, 1991 Editions

Interested persons are invited to attend this public hearing

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Carried unanimously

ORDINANCES FOR PASSAGE

By Councilmember Brockwell

That we proceed to the passage of Ordinances.

By Councilmember Brockwell

That the Ordinance when read be considered as read in its entirety.

BY THE COMMITTEE ON PUPLIC SERVICES

By Councilmember Brockwell

Resolved by the City Council of the City of Lansing that a Ordinance providing for an amendment to the Code of Ordinances, City of Lansing, Michigan, to amend Part 14, Chapter 1424, Sections 1424.01 to Provide for Adoption of the 1993 Edition of the National Electrical Code except for those provisions as have been amended or repealed, be placed on order of immediate passage

By Councilmember Brockwell

Resolved by the City Council of the City of Lansing that an Ordinance providing for an amendment to the Code of Ordinances, City of Lansing, Michigan, to amend Part 14, Chapter 1424, Sections 1424.01 to Provide for Adoption of the 1993 Edition of the National Electrical Code except for those provisions as have been amended or repealed, be now passed.

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Schmidt

NAYS: None

ABSENT: None

ORDINANCE NO. 856

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND SECTION 1424.01 OF PART FOURTEEN, OF THE CODE OF ORDINANCES OF THE CITY OF LANSING FOR THE PURPOSE OF ADOPTING THE 1993 EDITION OF THE NATIONAL ELECTRICAL CODE EXCEPT FOR THOSE PROVISIONS AS HAVE BEEN AMENDED OR REPEALED.

The City of Lansing ordains:

Section 1. That Part 14, Chapter 1424 of the Code of Ordinances of the City of Lansing, Michigan, be amended to be read as follows:

1424.01 ADOPTION OF 1993 EDITION OF NATIONAL ELECTRICAL CODE; SCOPE; REFERENCES AND CITATIONS; CONFLICT OF LAWS.

(a) That certain code, an official copy of which is on file in the office of the City Clerk, being marked and designated as the "National Electrical Code", 1993 edition, published by the National Fire Protection Association, is hereby adopted and made part of the Building Code of the City, pursuant to the authority vested in the City by M.C.L.A. 125.1508; M.S.A. 5.2949(8), and the Home Rule Act, (M.C.L.A. 117.1 et seq.; M.S.A. 5.2071 et seq.), as amended. Such Electrical Code provides regulations for the erection, installation, alteration, repair, relocation, replacement, addition to, use and maintenance of electrical systems. Each and all of the regulations, provisions, penalties, conditions and terms of such "National Electrical Code" shall be deemed adopted and made a part hereof by reference as if fully set out in this chapter, save and except such provisions as may be hereinafter amended or repealed.

(b) References throughout these Codified Ordinances to the "National Electrical Code" shall be deemed to mean the "National Electrical Code" adopted in subsection (a) hereof and it may be so cited. References throughout these Codified Ordinances to the Electrical Code of the City shall be deemed to mean this chapter, including the "National Electrical Code" adopted in this chapter, and it may be so cited. References throughout these Codified Ordinances to the Building Code of the City shall be deemed to mean all of the provisions of Titles Two and Four of Part Fourteen of these Codified Ordinances, including the technical codes adopted therein by reference, and it may be so cited. References throughout these Codified Ordinances to the Building and Housing Code of the City shall be deemed to mean all of Part Fourteen of these Codified Ordinances and it may be so cited.

(c) Unless otherwise expressly provided, in the event of a conflict between any of the provisions of the "National Electrical Code", herein adopted, and a provision of this chapter, or any other provision of these Codified Ordinances, or any other local ordinance, resolution, rule or regulation, the local provision shall control. In the event of a conflict between any of the provisions of the "National Electrical Code", herein adopted, and State law, including rules and requlations promulgated pursuant to State law, the State law shall control. In the event of a conflict between any of the provisions of the "National Electrical Code", herein adopted, and a provision of any other standard technical code adopted by reference by the City, the stricter or higher standard shall control.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty days from the date of passage.

MARILYNN M. SLADE, ACTING CITY CLERK

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Benavides a resolution for Transfer of Funds for the City Attorney's Office

HANDLED AS RESOLUTION #027

2/ From Councilmember Ford a recommendation from Mayor Crawford that Trash Violation Fees be placed on the tax rolls

HANDLED AS RESOLUTION #026

3/ From Councilmember Ford a request for suspension of the rules to allow for passage of a Resolution amending Council Rule #19 directly following the first Public Comment portion of tonight's agenda

THE RULES WERE SUSPENDED AND COUNCILMEMBER FORD MOVED FOR PASSAGE OF RESOLUTION #003 DIRECTLY FOLLOWING PUBLIC COMMENT AND PRIOR TO THE SPECIAL CEREMONIES PORTION OF THE AGENDA

MAYOR'S EXECUTIVE ASSISTANT'S COMMENTS

Mr. Boyd announced that next Monday, in observance of Martin Luther King Jr.'s Birthday, City Hall will be closed. Green bag and recycling pickup will run one day late next week. He invited everyone to the MLK Birthday Luncheon at the Lansing Civic Arena next Monday at 11:00. Anyone interested in attending may contact Deanna Hopkins at the Greater Lansing Convention/Visi-

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

tors Bureau for ticket information. He pointed out to the public that Mayor Crawford was gainfully employed full time as well as being a Councilmember prior to becoming Mayor. He had to give up both of his salaries to take the job. His salary as Mayor averages out to less per hour than he earned while working with the State of Michigan and sitting on Council combined. He reminded everyone that the City's policy for snow removal is that they do not plow the streets until there is a 4" accumulation of snow.

COUNCILMEMBER'S COMMENTS

Councilmember Ford said that he will be looking very closely at the reduction in staff, reduction in costs for employee benefits such as health care, and the reorganization of existing staff. He outlined the interview procedures for the Council and City Clerk vacancies. There have been 44 applicants for the Council vacancy and 20 applications for the City Clerk vacancy. Interviews will be conducted on Tuesday, January 19, 1993 for three hours and Thursday, January 21, 1993 for two hours. Each applicant will be asked the same three questions and given three minute interviews. Anyone is welcome to attend the interview process. The Council position must be filled by January 28, 1993 and the Clerk position must be filled by February 3, 1993.

Councilmember Beal said she is surprised to hear that the City has not yet plowed the streets because she has received many calls regarding snow plow trucks going too fast and plowing snow back onto sidewalks and driveways that residents have already shoveled. She requested that the issue of the tie bar between exempt employees and Teamster employees be put on the agenda for the Committee of the Whole for this Thursday. She wants this tie bar abolished.

Councilmember Brockwell said that the effect of the early retirement will be to reduce the fat in the City's salaries. Many people complained that there were too many fat cats on staff. The first year projected savings are $1,378,000. This includes the City's liability for accrued liability in terms of vacation pay and sick leave, etc. The cost to each taxpayer for this program is fifty cents per year. The sentiment expressed for them, prior to their retirement, seems to indicate that it would be worth a cup of coffee per year, to most people, to retire the Mayor and City Clerk. Regarding the Gary Andrews situation, he did lose his cool, however, Gary has made accusations against him, threats to him, and gotten in his face and called him names. He is only human. He is a citizen too, and has the same rights Gary has.

Councilmember Schmidt said that the new defined contribution retirement plan for City employees pays only 5% of employees salaries per year whereas employees under the old plan received 14.5% employer contribution. This is an additional savings of the early retirement program. She announced that Julie Berridge, daughter of Dave Berridge, Transportation Director, will attend the American Legion Girls State. Congratulations to the Berridge family.

PUBLIC COMMENTS

Lloyd Teets of 116 E. Elm St. demanded that he be given three minutes for last week's public comments and an additional three minutes to make this week's public comments. Last week's agenda contained a letter from Joseph Pandy, Director of the Board of Water & Light, making statements about him. Anytime Mr. Pandy wants to debate him he can come on down to the Council meetings, however, he will not stand for Mr. Pandy making accusations against him. The Board of Water & Light is highly mismanaged. He accused Mr. Pandy of deliberately disconnecting the power to the backup generator system so that the city lost power twice. There is no local control of the Board. Councilmembers do not attend their meetings. Mr. Pandy needs to insure that the city has a functional backup generator so that the city does not lose power twice this year.

William Bernstein of 420 Baker St. said Council chambers belong to the citizens of the city and Council has no right to tell them what to say, or, when to say it. Citizens do not get any justice from Council when they ask for it.

Gary Andrews of 560 Brookland Blvd. demanded that Councilmember Brockwell forfeit his office for violating standards of conduct. The words 'cover up' were used earlier. Some kind of abuse must have taken place in order for this accusation to be invoked. People are angry because of what they have been given by Council. More people are attending meetings because they do not like what is happening in this city.

Helen Bailey of 1622 Cooper said her advice to everyone who cannot stand the heat is "get out of the kitchen". Why does the City need two legal firms to represent them? She is offended by Councilmember Belen's statement that they are trying to protect the citizens of the city. They did not protect the City when they offered the retirement package. The way you put a retirement package together is to make it available to people you do not need. The citizenry is not as confused as the City's legal counsel is. Just once she would like to hear a yes or no answer from him. If he is not going to give his legal opinion, why does he even come to meetings. He should save the City money and stay home. President Canady should call Councilmember Belen out of order when she interrupts speakers.

Richard Collins of 226 Moores River Drive said that the public notice for applications to the Council and City Clerk vacancies stated that the deadline was 12:00 noon. Aapplications were accepted from some candidates up until 5:00. This is not fair. It is granting special favors to the 8 applicants who filed late. If one of these candidates who filed late gets the position, it would seem like special consideration. What about the people who may have applied, but did not, because they could not make the 12:00 deadline? President Canady announced that this issue would be reconsidered at the Committee of the Whole this Thursday.

Ahmad Sherraka of 902 Willow St. asked what Council's priorities would be in 1993.

Vern Letts of 730 Community said late applications should not be accepted. His wife is involved in a Civil Rights suit against the City, but, they cannot get an attorney to take their case because they are scared of the City. The City is stonewalling his wife's case to the point that she is being harassed by the Assistant Personnel Director. One attorney made the statement that she knew people on City Council.

Mark Eggleston of 4001 Heathgate spoke regarding the rezoning petition for the corner of Waverly Road and Glenburne. He has photographs of pine trees in the median on Glenburne. He asked if Council has the right to block the sale of the Civic Arena?

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Mary Haney, no address given, said this was a sad, disturbing meeting. She warned everyone that this would happen someday. She asked if Councilmember Beal had any prior political experience and said that she appears to have done her homework. She wants to see a Mayor and Council that will give the City back to the people.

Sheila Rouse of 1137 W. Holmes Rd. asked if the City paid the Mayor and City Clerk to retire because people did not like them? She is concerned that the savings from early retirement not come at the expense of the City's blue collar work force. She does not want this plan to be financed on the backs of City employees. The City Attorney has too much latitude, she said, and is too busy to represent the City in litigation.

Patrick Maynard of 902 W. Shiawassee questioned the City Attorney's ability to provide unbiased advice to City Council in the early retirement issue. He does not think Mr. Knot can correctly serve the City in this instance because he cannot be objective.

Emily Betros of 1010 Braman asked Council why they got mad when people clapped?

Lawrence Neeler of 1315 W. Willow accused Mayor McKane and Jim Blair of being guilty of white collar crime. They had the help of City Council. The silent majority need to be heard. They need to take action. They cannot let this kind of miscarriage of justice proceed.

Douglas Fairbanks of 107 May St. said the Ethics Board should be allowed to do what they have to do. They are honest people. He said President Canady did a good job last week. Maybe Council should hire a psychic, or, an astrologer. Anyone who ever needs good advice can ask Councilmember Brockwell, Mr. Knot, President Canady, or, Councilmembers Ford, Benavides, or Schmidt. Last week's meeting was a fiasco. The City Attorney is doing a good job.

Andy Keebler of Comfort Street said the citizens of Lansing do not want Council spending tax dollars without their prior permission. They spent $1,000,000 on a fish ladder that is dead now, and on the riverwalk that people get molested on. Councilmembers have to be re-elected and the audience tonight is more representative of the people who go out and vote than anything else they will ever see. Council is here to work for the people, it is time they start doing it.

Beverly Miller from North Lansing said Gary Andrews used to get work with the City as an artist, but, something put a stop to it. Since that time City Council has demonstrated that they do not like him.

Harold Leeman of 529 N. Francis asked to have Mr. Boyd made available if he is still around. The week coming up will be a hectic one, he predicted. The ground breaking ceremony for the expansion of the Lansing Center is Tuesday. President Canady should take a recess when meetings run this late. He wanted to ask Mr. Boyd about a rumor that Sid Worthington will be appointed as Director of the Planning Department. Is this true?

Adjourned 11:55 p.m.
Marilynn Slade, Acting City Clerk

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, January 19, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
January 19, 1993

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Canady

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Ford

CONSIDERATION OF LATE ITEMS

By Councilmember Schmidt

To accept the following under suspension of the rules:

From Councilmember Schmidt a request that the rules be suspended to allow for a presentation by Kris Nicholoff of the Lansing Youth and Recreation Fund

Carried unanimously

SCHEDULED PUBLIC HEARINGS

There were no Scheduled Public Hearings

PUBLIC COMMENT

Lloyd Teets of 116 E. Elm St. accused Council of playing favorites in the selection of a candidate to fill the vacant Council at large seat. He requested that Council not appoint anyone to fill the vacancy so that a special election can be held.

Patrick Maynard of 902 W. Shiawassee objected to applications for the Council and City Clerk vacancies being rejected because they were filed late. Council President Canady, he said, admitted that he gave people the wrong information as to the filing deadline. Are they trying to fill these vacancies with the best possible candidate, or not? He asked Council to rescind their decision to reject these late applications. They can hold this process up a day or two to make sure that everyone is treated fairly. Councilmember Ford said that he spoke with Mr. Maynard about his application being late. He learned in their conversation that Mr. Maynard is not one of the Candidates that were given incorrect information as to the deadline. This deadline was well announced in both the State Journal and on Channel 28. Changing the deadline would require that another public notice be published. He has spent a lot of time to ensure that the process of choosing replacements is clean and fair.

Douglas Fairbanks of 107 May St. said that all candidates for the City Clerk and Council positions should be at their interviews on time or give timely notice that they cannot be there. If you want the job, you can afford to be there on time.

Therese Porn of 1514 W. Lenawee thanked the Mayor's Office and the City Attorney for working fairly and in an expeditious manner with her on the allocation of cablecasting grants. They have agreed to allocate 30% to Channel 28, 25% to Channel 36, 25% to Channel 40, 15% to Public Access Producers, and 5% to the Cable Advisory Board. They are hoping to televise the awards program to the entire Mid-Michigan area this year. She stated her availability to answer any questions Council might have.

Harold Leeman of 529 N. Francis said that City Attorney Knot informed Councilmembers that, if the deadline for accepting applications for the vacant Council and City Clerk's seats was extended, they would have to publish another notice. He asked Councilmember Benavides when the Cable Advisory Board allocations were reported out of the Ways and Means Committee. He recommended that the allocations be amended to give 25% to Public Access Producers and Lansing Community College and the Lansing School District allocations should be lowered to 25%. He asked if the amount of money to be realized from the sale of property on Pere Marquette would cover the full amount invested in this property by the City. How much did the City pay the Railroad for this property and how much time do we have invested in it? Was this sale handled as an open process? Did it go out to bid, or are these groups the only people who had an opportunity to bid on it? At one time the City had plans to market this area as a shopping center along the lines of a small Greenfield Village. What happened to these plans? This is a high density area. The money realized from these sales should go to reduce the density in the Sparrow Estates area.

SPECIAL CEREMONIES

Kris Nicholoff, Founder of the Lansing Youth and Recreation Fund presented a check in the amount of $15,000 to Parks and Recreations Director R. Eric Reickel. This is part of his ongoing drive to fund parks programs for the City's children. Specifically, part of this money will pay for free skate rental and free hot chocolate to children who are residents of the City at Washington Park Ice Skating Rink on Friday afternoons between 3:15 and 4:15 every week in February. He thanked the contributors who have made this donation possible; Greater Lansing Foundation, Shop Rite Food Stores, Downtown Kiwanis, Petroff Realty, Mr. and Mrs. Chris Baryames, Cooley Law School, and Rossman & Martin Agency. He thanked Councilmember Ford for performing the Magic Show for their fund raiser, Brotherhood Against Drugs, and the Parks and Recreation Department Staff for their support and help in implementing this program. He challenged everyone who has a complaint about the City to channel their efforts in a positive manner to effect change to the better.

Kris Nicholoff introduced Dennis Marvin, Community Relations Director for Consumers Power Company. Mr. Marvin presented Mr. Nicholoff with a check for $5,000. They would specifically like their

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

donation to go towards renovating Comstock Park. Last year Consumers Power contributed $500.00 to the fund and they are pleased to be able to raise their donation by 100% this year because of the success of the program.

Mayor Crawford thanked Mr. Nicholoff and Consumers Power.

Council President Canady thanked Mr. Nicholoff and Consumers Power on behalf of the members of City Council and everyone in the City. Efforts like this make Lansing the kind of Community that it is, he said.

Councilmember Ford thanked Mr. Nickeloff for his fund raising efforts and Consumers Power for adopting Comstock Park. Comstock used to be a fine park and it has been hard for him to see it go downhill in the last couple of years. This area will be well served by having the park brought back into shape.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Canady

Carried unanimously

A. Petition signed by 89 Residents of the City requesting Removal of the Parking Meters surrounding Lansing Community College

REFERRED TO THE MAYOR

B. Announcement from the Michigan Municipal League of the National League of City's Congressional-City Conference to be held in Washington, D.C. March 6 through March 9, 1993

RECEIVED AND PLACED ON FILE

C. Letter from the Michigan Department of Labor extending the validity of Electrical, Mechanical and Plumbing licenses issued by the State in 1992 to March 1, March 31, and February 28, 1993 respectively

REFERRED TO THE MAYOR

MAYOR MAY COMMENT

Mayor Crawford reviewed his letters on tonight's agenda; #1, resignation of Michael Delgado from the Board of Review. He thanked Mr. Delgado for his exemplary service to the City on this Board. #8, letter from MESC regarding a City Retiree who applied for unemployment benefits.

CITY OFFICER AND BOARD REPORTS

A. Letters from Acting City Clerk submitting routine applications for action on licenses and bonds:

1. **RESOLUTION #30**
January 19, 1993
President Canady and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: James Thomas Reid, Michael John Stahl

Sincerely,
Marilynn M. Slade, Acting City Clerk
City of Lansing, MI

By Councilmember Schmdit

To accept the recommendations of the Acting City Clerk

Carried unanimously

B. Information-only Items from the Acting City Clerk:

1. Letter from the Acting City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of January 11, 1992 for Review

RECEIVED AND PLACED ON FILE

2. Letter from the Acting City Clerk notifying Councilmembers of denial by the Michigan Department of Commerce, Liquor Control Commission of a request to Transfer Class C Liquor License by Mooney Oil Corporation

RECEIVED AND PLACED ON FILE

3. Proposal from the Acting City Clerk for Restructuring of the City Clerk's Office

REFERRED TO THE COMMITTEE OF THE WHOLE

C. Letters from the Mayor re:

1. Resignation of Michael Delgado from the Review Board

RECEIVED AND PLACED ON FILE

2. Public Improvement V, Actual Cost Special Assessment Roll 315

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

3. Public Improvement V, Actual Cost Special Assessment Roll 318

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

4. Public Improvement V, Actual Cost Special Assessment Roll 322

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

5. Industrial Facilities Exemption Certificate Lansing Sanitary Supply, Inc. (IPR-03-92)

REFERRED TO THE COMMITTEE ON ECONOMIC DEVELOPMENT

6. Personnel Rules for Non Union Employees and Department Heads

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

7. Sole Source Procurements over $10,000 During 4th Quarter of 1992

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

8. MESC Determination Re: Voluntary Reduction in Force Retiree

RECEIVED AND PLACED ON FILE

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

COMMITTEE REPORTS

RESOLUTION #31
P-1-89 January 19, 1993
Jet Place
Final Plat Extension and Revisions

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of the final plat extension and revisions of Jet Place, which is a request by Gary D. Arnold of Capitol Consultants, Inc., representing Mr. and Mrs. Robert Soltow and Mr. and Mrs. Keith Brandon, proprietors, to subdivide a 13.5 acre parcel zoned "I" Heavy Industrial District to six parcels for nonresidential development.

REPORTS AS FOLLOWS:

That the request for final plat extension and revisions approval be granted subject to the conditions stated in the Final Plat approval granted on November 19, 1990.

SIGNED: Lucile Belen
Mark H. Canady
Robert Brockwell

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Belen:

That the report of the Committee be approved.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 0

ABSENT: 0

RESOLUTION #32
SLU-17-90 January 19, 1993
5400 Block South Dr. Martin Luther King, Jr. Blvd./Logan Street

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of reviewing a Special Land Use request by Reverend Philip Owens of Immanuel's Temple Church for property in the 5400 Block of South Dr. Martin Luther King, Jr. Blvd./Logan Street for the purpose of establishing a church with seating for up to 1500 people on 20 acres of land.

REPORTS AS FOLLOWS:

That the request for a Special Land Use be approved subject to submission of a final site plan to the Planning Division for development which must comply with the following requirements of the public agencies:

1. On-site detention of storm water;
2. Traffic and access drive widths and alignments;
3. Approvals of the final site plan by the appropriate public agencies.

SIGNED: Lucile Belen
Mark H. Canady
Robert Brockwell

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Belen:

That the report of the Committee be approved.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 0

ABSENT: 0

RESOLUTIONS

RESOLUTION #33
By the COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS, certain streets and public improvements have been constructed and completed within the property commonly known as the University Corporate Research Park within the City of Lansing; and,

WHEREAS, the owners of said property have offered to convey it, by deed and easements, to the City of Lansing for acceptance of said transfer and the dedications therein for public use and purpose;

NOW THEREFORE, BE IT RESOLVED the City hereby accepts the transfer, and dedicates to the public use and purpose the properties commonly known as Alliance Drive and Technology Boulevard in the M.S.U. Research Park and other properties described in a certain warranty deed and grant of easements, as executed by Michigan State University Foundation on October 21, 1992, and University Corporate Research Park-A, Inc. on October 21, 1992, which is on file with the City Clerk.

BE IT FURTHER RESOLVED, upon approval as form of the before mentioned documents by the City Attorney, the City Clerk is directed to record same with the Ingham County Register of Deeds.

By Councilmember Belen

Carried unanimosuly

RESOLUTION #34
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

PUBLIC IMPROVEMENT V

RESOLVED, by the City Council of the City of Lansing:

That the supplementary Special Assessment Roll B49, Public Service # 45036, known as the 1990 Sidewalk Repair #1. Whereas it is a matter of public necessity to repair sidewalk in front of and adjacent to, the properties described below:

PROPERTY BENEFITTED: All lands on EDGEWOOD BOULEVARD from 200 W. EDGEWOOD BOULEVARD to CEDAR STREET, also on AMWOOD DRIVE and AMERICAN ROAD South of EDGEWOOD BOULEVARD, excepting all public streets and alleys and other land deemed not benefitted.

ROLL B49—SIDEWALK
ESTIMATED COST $59,497.85
ACTUAL COST $57,502.50
DIFFERENCE $1,995.35

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to collect said tax 90 days after approval of this resolution.

By Councilmember Belen

Carried unanimously

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

RESOLUTION #35
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

PUBLIC IMPROVEMENT V

RESOLVED, by the City Council of the City of Lansing:

That the supplementary Special Assessment Roll B50, Public Service # 45036, part of the 1990 Sidewalk Repair #1. Whereas it is a matter of public necessity to construct new curb and sidewalk in front of and adjacent to, the properties described below:

PROPERTY BENEFITTED: All lands on EDGEWOOD BOULEVARD from 200 WEST EDGEWOOD BOULEVARD to CEDAR STREET, also on AMWOOD DRIVE and AMERICAN ROAD SOUTH of EDGEWOOD BOULEVARD, excepting all public streets and alleys and other land deemed not benefitted.

ROLL B50—SIDEWALK
ESTIMATED COST $51,878.15
ACTUAL COST $51,878.15
DIFFERENCE ..... —0—

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to collect said tax 90 days after approval of this resolution.

By Councilmember Belen

Carried unanimously

BY COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS, the Pere Marquette Group has indicated their interest to acquiring the remaining land north of their parking lot on the east side of Pere Marquette Drive, to East Shiawassee Street, and

WHEREAS, the Pere Marquette Group desires to develop this land with small commercial uses consistent with the Cedar/Larch District Area Master Plan Amendment; and

WHEREAS, the Mayor has recommended that the City assist in the continued development of this area by selling this property to the Pere Marquette Group;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lansing authorizes the City Administration to sell property described as:

Those parts of vacated East Street and Lots 39 and 41 in Assessor's Plat No. 36 of Block 243, Original Plat, City of Lansing, Ingham County, Michigan, commencing at the intersection of the East line of Section 16 T4N, R2W, (a.k.a. East line of East Street) and the South line of Shiawassee Street, thence South along the Section line 631.02 feet, thence North 89 Degrees 58 minutes West 112.27 feet to the East line of Pere Marquette Drive, thence along the right-of-way of said drive the following 3 courses; North 00 Degrees 01 minute West 265.13 feet, North 06 Degrees 23 minutes West 151.5 feet, North 00 Degrees 02 minutes East 216 feet to the South line said Shiawassee Street, thence Easterly 129.44 feet to the place of beginning; excepting the South 180 feet thereof;

to the Pere Marquette Group at a cost which will recapture the funds invested in the purchase of the land by the Community Development Program.

By Councilmember Brockwell

To table the Resolution for two weeks

Carried unanimosuly

WHEREAS, in Resolution #495 of 1988, the City Council authorized the acquisition and clearing of the Conrail and C & 0 Railroad properties between Shiawassee and Michigan Avenue in Block 243, of the Original Plat, City of Lansing, Ingham County, Michigan, for the purposes of constructing a public street (Pere Marquette Drive); and

WHEREAS, the City Council is aware of the desire of several businesses abutting this new street to purchase excess property for the expansion of their business and/or to solve problems created because of the development of this street; and

WHEREAS, Clara's Inc. is one of the businesses desiring to purchase excess City land, West and North of their property that they have been using as part of their parking area; and

WHEREAS, the sale of this property to Clara's Inc., will promote the most desirable and efficient assemblage of land.

NOW THEREFORE BE IT RESOLVED, that the City of Lansing does hereby authorize the administration to sell the property described in Attachment A, to Clara's Inc., for $10,800.00.

BE IT FURTHER RESOLVED that the administration prepares and sign the appropriate transfer documents, with the purchaser paying all closing costs.

By Councilmember Brockwell

To table the Resolution for two weeks

Carried unanimosuly

BY COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS, the Pere Marquette Group has developed property at 119 Pere Marquette Drive, based on the availability of leased land from the City to provide parking to meet the City's Zoning Code; and

WHEREAS, the Pere Marquette Group wishes to own this leased parking lot that they have developed in order to have control over the parking for the tenants in their building; and

WHEREAS, the City Administration recognizes the commitment that has been made by the Pere Marquette group to the area and concurs in their request to own the parking lot; and

WHEREAS, this land was purchased with Community Development funds and it is proposed to be sold for the amount of the Community Development monies invested in the land;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lansing authorizes the City Administration to sell property described as:

A parcel of land on East Street and Block 243, Original Plat, City of Lansing, Ingham County, Michigan; commencing 650.34 feet North of the East ¼ corner Section 16, T4N, R2W, on the East line of East Street right-of-way to the point of beginning; thence North on the East line of the East Street right-of-way 180 feet; thence North 89°55'05" West 114 feet to the East line of the Pere Marquette Street right-of-way; thence South 180 feet more or less along the East line of the Pere Marquette right-of-way to a point North

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

89°55'05" West of the point of beginning; thence South 89°55'05" East 112.27 feet to the point of beginning;

to the Pere Marquette Group at a cost which will recapture the funds invested in the purchase of the land by the Community Development Program.

By Councilmember Brockwell

To table the Resolution for two weeks

Carried unanimously

WHEREAS, the Cedar/Larch District Area Master Plan Amendment recommended a disposition plan for surplus city property remaining after construction of Pere Marquette Street; and

WHEREAS, the Master Plan recommended the land sale being authorized by this resolution; and

WHEREAS, the City Administration has recommended that this land sale proceed; and

WHEREAS, the land was purchased with Community Development funds and it is proposed to be sold for the amount of the Community Development monies invested in the land;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lansing authorizes the City Administration to sell property described as:

Those parts of Lots 5, 40 and 41 in Assessor's Plat No. 36 of Block 243, Original Plat, City of Lansing, Ingham County, Michigan, commencing at a point on the West line Lot 40 309.15 feet South of the Northwest corner thereof, thence South 45 degrees 24 minutes 05 seconds West 42.39 feet to the North line of the South 98.1 feet, of Lot 5, thence West 70.89 feet to the East line of the West 110 feet of Lot 5, thence South 98.1 feet, thence East 100.87 feet to the line common to Lots 5 and 41, thence North 35.26 feet, thence South 89 degrees 24 minutes 14 seconds East to the West line of Pere Marquette Drive right-of-way, thence N 22 degrees 52 minutes 13 seconds East 40.71 feet, thence North 09 degrees West 57 feet more or less to a point due East of the point of beginning, thence West 78 feet more or less to beginning;

to Marion McNamara, Thomas J. and Theresa K. McNamara, III at a cost which will recapture the funds invested in the purchase of the land by the Community Development Program.

By Councilmember Brockwell

To table the Resolution for two weeks

Carried unanimosuly

RESOLUTION #36

WHEREAS, in Resolution #190 of 1992, the City Council authorized the acquisition and clearing of the residential properties in Block 88 of the Original Plat, City of Lansing, Ingham County, Michigan; and

WHEREAS, this action was taken to encourage the rehabilitation of the residential neighborhood, eliminating a negative living environment, providing an opportunity for improved land use in the neighborhood; and

WHEREAS, in addition to the property the City also acquired rights in a joint driveway easement over the South 12 feet of Lots 1 and 12, Block 88 as recorded February 14, 1917 in Liber 216, Page 378, and in Liber 392, Page 29. Also as recorded October 27, 1959 in Liber 777, Page 37 and as recited in the Warranty Deed as recorded on August 24, 1942 in Liber 477, Page 528; and

WHEREAS, the release of the driveway easement will promote the most desirable and efficient assemblage of land and improvements in the neighborhood.

NOW THEREFORE BE IT RESOLVED, that the City of Lansing does hereby release the driveway easement over the South 12 feet of Lots 1 and 12, Block 88, City of Lansing, Ingham County, Michigan.

BE IT FURTHER RESOLVED that the administration prepares and sign the appropriate document, releasing this driveway easement.

By Councilmember Belen

Carried unanimously

RESOLUTION #37

WHEREAS, in Resolution #735 of 1992, the City Council accepted the property donated by Ms. Bertha Everett, Lot 59, City Park Subdivision, in the 1200 block of Regent Street; and

WHEREAS, the City Council further stated that the property be used as a residential site or sold to the adjacent property owners; and

WHEREAS, only one of the adjacent property owners desires the property;

NOW THEREFORE BE IT RESOLVED, that Lot 59, City Park Subdivision, be sold to the adjacent property owners at 1206 Regent Street, Terry and Connie Wicks, for the price determined by the Planning and Municipal Development Department per the Land Disposition Policy.

BE IT FURTHER RESOLVED THAT the administration prepares and sign the appropriate transfer documents, with the purchaser paying all closing costs.

BY Councilmember Belen

Carried unanimously

RESOLUTION #38

RESOLUTION BY COMMITTEE ON PHYSICAL DEVELOPMENT

P-1-89 Jet Place—Final Plat Extension and Revisions

WHEREAS Gary D. Arnold of Capitol Consultants, Incorporated, representing Mr. and Mrs. Robert Soltow and Mr. and Mrs. Keith Brandon, proprietors, requested extension of the final plat approval of Jet Place Subdivision with minor revisions, and

WHEREAS being found in substantial conformance with the final preliminary plat approved by the Lansing City Council on August 21, 1989, the Planning Board recommended approval of the final plat at their January 5, 1992 meeting with conditions, and

WHEREAS sidewalks are not required due to the nonresidential use of the plat, and

WHEREAS the Lansing City Council Committee on Physical Development concurs therewith,

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby approves the extension and revisions of the final plat of Jet Place Subdivision with the following conditions:

1. That a Deed or Abstract of Title, accompanied by an attorney's opinion as to the marketability of the land, or a Certificate of Title Insurance be submitted to the City Clerk prior to the signing of the plat and affixing of the Municipal Seal.

2. That final security be posted in the amount specified by the Public Service Department and the Department of Parks and Recreation.

3. That all conditions of the preliminary plat be adhered to.

4. That the extension of the final plat approval is for two (2) years.

BE IT FINALLY RESOLVED that the City Clerk be hereby authorized to seal the plat following the fulfillment of the conditions.

By Councilmember Belen

Carried unanimously

Resolution #39
COMMITTEE ON PHYSICAL DEVELOPMENT January 19, 1993

SLU-17-90
5400 Block Dr. Martin Luther King, Jr. Blvd./Logan Street

WHEREAS Reverend Philip Owens of the Immanuel's Temple Community Church has requested a Special Land Use permit to allow the development of church facilities in the 5400 Block of Dr. Martin Luther King, Jr. Blvd./Logan Street along the west side of the street on a twenty (20) acre parcel, more particularly described as:

Commencing at the northeast corner of Lot 11, Creyts Sub.; thence south 17 feet, west 147 feet, south 103 feet, east 70 feet, south 27 feet, east 77 feet to east line of Lot 11, Creyts Sub.; thence south to southeast corner Lot 11; thence east to northeast corner Lot 10 Creyts Sub.; thence southwesterly 207.5 feet on west line of M-99 (Dr. Martin Luther King, Jr. Blvd./Logan St.); thence west 220 feet; thence south 65.3 feet, west 100 feet, north 114 feet, west 90 feet, south 114 feet, west 640 feet +/-; thence northwesterly to southwest corner Lot 15; thence continuously northeasterly along east line Lot 15 to a point 528 feet from south right-of-way line of Jolly Road; thence north 198 feet; thence east 96.36 feet, north 130 feet, east 163 feet, north 93 feet, east 100.69 feet, north 90.02 feet; thence west 100 feet, north 17 feet, east 323.38 feet to beginning, Creyts Subdivision, City of Lansing, Ingham County, Michigan;

and

WHEREAS the Planning Board has reviewed the request and recommended approval of the development of the overall parcel for a facility for the Immanuel's Temple Community Church, giving consideration to the standards as outlined under Chapter 1282 of the Zoning Code; and

WHEREAS the Planning Board recommended approval of the site plan as originally submitted, which showed its development in two phases, subject to conditions, on November 20, 1990, and was referred to the City Council for public hearing on December 17, 1990; and

WHEREAS the applicant has subsequently submitted a site plan showing a substantially smaller church and parking lot with a seating capacity of approximately 1500 people; and

NOW THEREFORE BE IT RESOLVED that the City Council approve the Special Land Use permit for the Immanuel's Temple Community Church to develop a church facility on the above described property with the following condition:

A. Submission of a final site plan to the Planning Division for development which must comply with the following requirements of the public agencies:

1) On-site detention of storm water.
2) Traffic and access drive widths and alignments.
3) Approvals of the final site plan by the appropriate public agencies.

FURTHER BE IT RESOLVED the City Council considered the following standards with their approval.

1. The overall development appears to be designed in a manner harmonious with the character of the adjacent property and surrounding area.

2. The proposed church will not alter the residential character of the surrounding area. A substantial landscape strip will serve to screen and buffer adjacent residential properties from the church.

3. The proposed church does not appear to interfere with the general enjoyment of adjacent properties.

4. The proposed church represents an improvement to the use and character of the property and the surrounding area. The placement and design of the structures will be in keeping with the natural environment of the lot. A substantial portion of the site will retain its existing vegetation.

5. The proposed church as designed is not hazardous to adjacent property and does not involve uses, activities, materials or equipment which are detrimental to the health, safety or welfare of persons or property through the excessive production of traffic, noise, smoke, odor, fumes or glare. The structure will be located away from single family homes in the area, further reducing possible impacts to adjacent properties.

6. The proposed church is adequately served by essential public facilities and services.

7. The proposed church should not place demands on public services and facilities in excess of current capacity.

8. The proposed church is consistent with the intent and purpose of Chapter 1282 (Special Land Use permits) as well as the Southwest Area Comprehensive Plan.

9. The proposed church meets the dimensional requirements of the "A", "C" and "DM-1" Residential Districts in which the property is located; and

BE IT FINALLY RESOLVED that the City Clerk be directed to notify the petitioner of said action.

By Councilmember Belen

Carried unanimously

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Resolution #40
WHEREAS, in Resolution #282 of 1990, the City Council authorized the acquisition and clearing of the residential properties on lots 5 and 6, of A. O. Bement's Replat and Addition, on Hill Street; and

WHEREAS, this action was taken to encourage the rehabilitation of the residential neighborhood, eliminating a negative living environment, providing an opportunity for improved land use in the Green Oaks neighborhood; and

WHEREAS, the adjacent property owner at 300 Hill Street, Mark Kruger has offered to purchase this property and use it for the parking area of his building; and

WHEREAS, this sale will promote the most desirable and efficient assemblage of land and improvements in the Green Oaks neighborhood.

NOW THEREFORE BE IT RESOLVED, that lots 5 and 6, of A. O. Bement's Replat and Addition, be sold to the adjacent property owner at 300 Hill Street, Mark Kruger, for the price determined by the Planning and Municipal Development Department.

BE IT FURTHER RESOLVED that the administration prepares and sign the appropriate transfer documents, with the purchaser paying all closing costs.

By Councilmember Belen

Carried unanimously

RESOLUTION #41
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, in accordance with the terms of the franchise agreement between the City of Lansing and Continental Cablevision, each year the City reserves a portion of the revenue from the franchise fee paid by Continental for the purpose of providing grants to those who operate and create programs for the cable system's public, educational and governmental access channels; and

WHEREAS, the Cable Advisory Board has recommended that the City Council adopt a new policy that would allocate these funds fairly as part of the annual budget process, similar to the policy resolution adopted in October 1984 that allocates the remainder of the cable franchise fee; and

WHEREAS, the Committee on Ways and Means has reviewed the Board's policy recommendation and concurs therewith;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby adopts a new standing policy, as recommended by the Cable Advisory Board and the Committee on Ways and Means, that each General Fund Budget's appropriation for support of Community Cablecasting Activities be allocated as follows:

30 percent to the City of Lansing for equipment and operating costs of Government Access Channel 28;

25 percent to Lansing Community College for equipment and operating costs of Educational Access Channel 36;

25 percent to the Lansing School District for equipment and operating costs of Educational Access Channel 40;

15 percent to Public Access producers for grants to pay for eligible production costs under existing policy; and

5 percent to the Cable Advisory Board for board expenses;

AND BE IT FURTHER RESOLVED the allocation formula created by this policy shall be first used for development of the Fiscal Year 1993-94 General Fund Budget.

By Councilmember Benavides

January 18, 1993

Carried unanimosuly

RESOLUTION #42
COMMITTEE OF THE WHOLE

WHEREAS, the City of Lansing has vacant office space for lease at 316 North Capitol Avenue in the North Capitol Avenue Parking Ramp; and

WHEREAS, the State of Michigan wishes to lease office space in the downtown area for a term of five (5) year with an option for two (2) additional five years terms; and

WHEREAS, the leasing of the City's property to the State of Michigan will promote the most desirable and efficient use of this vacant space.

NOW THEREFORE BE IT RESOLVED, that the Lansing City Council does hereby authorize the Administration to negotiate and enter into a fifteen (15) year lease with the State of Michigan for the office space at 316 North Capitol Avenue.

BE IT FURTHER RESOLVED that the Administration prepare and execute the appropriate documents.

By Councilmember Benavides

To excuse Councilmember Ford from the vote on this item

Carried unanimously

By Councilmember Benavides

Carried unanimously, Councilmember Ford abstaining

RESOLUTION #43
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, this Council has received a total of 38 applications for consideration to fill a vacant At-Large Councilmember position and a total of 17 applications for consideration to fill the vacant City Clerk position; and

WHEREAS, interviews with all applicants have been scheduled for Tuesday, January 19, and Thursday, January 21, 1993, in the 10th Floor Council Chambers, in special Committee of the Whole sessions; and

WHEREAS, this Council desires the interview process to be seen and heard by as many Citizens as possible;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby directs its staff to cablecast "live" on Channel 28 the special Committee of the Whole meetings specified above.

By Councilmember Ford

Carried unanimously

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

RESOLUTION #44
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, by resolution adopted December 14, 1992, this Council set a deadline of 12 noon on Thursday, January 7, 1993, for receipt of applications for appointment to a vacant At-Large Council seat and to the vacant City Clerk position; and

WHEREAS, the deadline information was published in the Lansing State Journal by means of a legal notice on December 18, 1992, and was displayed on the Cable Channel 28 bulletin board throughout the holiday period until January 7, 1993; and

WHEREAS, the City Attorney has advised the Council to not consider any applications received after the published deadline, despite any extenuating circumstances, unless the entire application process is re-opened; and

WHEREAS, the time limit for completion of these appointments is too short to allow re-opening of the application process;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council shall not accept any applications for appointment to either the vacant At-Large Council seat or the vacant City Clerk position that were received in the City Council office after the published deadline of 12 noon on January 7, 1993.

By Councilmember Ford

Carried unanimously

ORDINANCES FOR INTRODUCTION

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-9-91—110 South Clifford Street to be rezoned from "C" Residential District to "J" Parking District

was introduced by Councilmember Belen, read a first and second time by its' title and referred to the Committee on Physical Development.

RESOLUTION #45
By Councilmember Belen:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, February 8, 1993 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, MI for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-9-91—110 South Clifford Street to be rezoned from "C" Residential District to "J" Parking District By Councilmember Belen

Carried unanimosuly

By Councilmember Belen:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, February 8, 1993 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, MI for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-21-92—5700 Aurelius Road to be rezoned from "H" Light Industrial and "J" Parking Districts to "H" Light Industrial District

RESOLUTION #46
The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-21-92—5700 Aurelius Road to be rezoned from "H" Light Industrial and "J" Parking Districts to "H" Light Industrial District

was introduced by Councilmember Belen, read a first and second time by its' title and referred to the Committee on Physical Development.

By Councilmember Belen

Carried unanimously

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Schmidt a request that the rules be suspended to allow for a presentation by Kris Nicholoff of the Lansing Youth and Recreation Fund

THE RULES WERE SUSPENDED AND MR. NICHOLOFF PRESENTED A CHECK IN THE AMOUNT OF $15,000 TO R. ERIC REICKEL, DIRECTOR OF PARKS AND RECREATION DURING THAT PORTION OF THE AGENDA RESERVED FOR SPECIAL CEREMONIES

MAYOR'S COMMENTS

Mayor Crawford commended Channel 28 for the program memorializing Dr. Martin Luther King, Jr. Doctor Sampson's presentation was a very dynamic one, he said. He thanked the staff of the Operations and Maintenance Department for the job they did on snow removal during the snowstorm last week. He announced that the City has been approved to receive low interest loans for the Combined Sewer Overflow Project. The City will save 6.2% in interest costs.

COUNCILMEMBER'S COMMENTS

Councilmember Schmidt announced that Lansing Catholic Central has a program whereby students are available to help people clear their sidewalks/driveways. The program requires students to complete a certain amount of hours in community service in order to be eligible for graduation. Any requests may be directed to Annette at Lansing Catholic Central High School.

Councilmember Beal said she is still pushing to abolish the tie bar between Teamster and Exempt employees. This matter has been referred to the General Services Committee via report of the Mayor on tonight's agenda. John Mertz told her that, because of a resolution Council adopted last week, the City has effectively filed suit against the Board of Ethics. This will require that they hire

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

outside legal counsel to represent them. She demanded that City Attorney Knot make clear concise answers to questions that she asks him. Did they place the Ethics Board in a situation that requires representation by outside legal counsel? The Council is not being given all the information they need before they take action. The Ethics Board is only an Advisory Board, she realizes this, but, she wants to avoid the appearance that Council is hiding anything. She would like this taken up at the Committee of the Whole meeting this Thursday.

Council President Canady responded to Councilmember Beal's questions to Mr. Knot by saying that no judgement has been entered on the retirement issue yet. When a judgement is entered on this issue, then they can discuss the conflict issue.

Councilmember Ford questioned whether, or not, Council should take action tonight to reconsider the resolution referring the issue of a conflict of interest on the Ethics Board to Judge Stell. He does not want Council to get involved in filing suit against the Ethics Board. They need to resolve this issue as soon as possible because it is taking up too much of Council's time. President Canady answered that it is not necessary to reconsider the resolution. If they find later that it is not compatible with what they want, they can rescind it.

Councilmember Brockwell agreed that Mayor Crawford and the Operations and Maintenance Staff did an excellent job of snow removal during last week's snowstorm, however, he did receive calls about two streets that are still experiencing difficulty in getting the plows to them. Coleman St. and Lawler Ct. need to be plowed. He thanked Kris Nicholoff for his efforts on behalf of the City's youths through Lansing Youth and Recreation Fund. It is very admirable of him to take positive steps to improve the way the system works.

CITIZENS MAY COMMENT

Kris Nicholoff of 2010 W. Oakland read portions of a letter withdrawing his application for appointment to the vacant Councilmember at Large position. He hired a lawyer to advise him as to whether he was eligible to hold this position or not. The lawyer told him that he was eligible. He withdrew his application because he did not feel it was right for him to put a conflict in front of Council at this time. Councilmember Ford commended Mr. Nicholoff for the truthfulness he exhibited in listing dates and times that he lived in Lansing, and did not live in Lansing. He would have been a good candidate for this seat. Councilmember Brockwell noted that it took tremendous character to put the City's interests above his own.

Lloyd Teets of 116 E. Elm St. said that yesterday was a great day for him. The City honored one of his heros. He was not invited to give the key note address at the banquet in honor of Dr. Martin Luther King, Jr., but, he could have. He follows the leadership of Dr. King. Dr. King believed in civil disobedience if it is called for and so does he. Soon the City can offer full employment for every attorney who lives in it. The recall effort looks stronger and stronger every week. They can do it, but it will take 200 or more people to make it succeed.

William Bernstein of 420 Baker St. commended Councilmember Beal for having the courage to oppose other members of Council.

Mark Eggleston of 4001 Heathgate said that Mayor Crawford was in the right place at the right time and people should give him a chance. He criticized Mr. Boyd for not explaining why the Mayor did not attend last Monday's meeting. He recently purchased a copy of the City Charter and was dismayed to find that it was printed in 1978. The Charter, he said, is so outdated that citizens should not have to abide by it.

Patrick Maynard, no address given, said Council could, and should, have extended the filing deadline for applicants for the City Council and City Clerk vacancies. He said that the situation with the Ethics Board is getting worse. The Member from the First Ward is asking questions and not getting adequate responses. This will continue to go on until Council comes to some determination and settles this matter. Stop prolonging it. He complained that his son, a young black man, was stopped by police and searched unfairly.

Ammahad Shekarakki of 902 Willow St. commended President Canady. He did a good job of conducting the meeting last week. He was tolerant and patient. Twenty-five years after Dr. Martin Luther King, Jr.'s death not much has changed. There are still thousands of homeless, thousands of hungry, and thousands of jobless blacks. A black child born in a drpressed country has a better chance of survival than a black child born in Detroit. He is glad that Dr. King is not here to see what happened to his dream.

Douglas Fairbanks of 1077 Heavenly Way commended President Canady, Mayor Crawford and City Attorney Knot.

Ken Vaughan of 114 Garden St. said that Dr. Martin Luther King, Jr. should not have to share a street with General Logan who nobody even remembers. He proposed changing the name to Dr. Martin Luther King, Jr. Blvd. starting at Schafer's Bakery and going south.

Howard Jones 426 W. Barnes asked about status of the Civic Arena? This facility could be used by many groups in the Community to house their activities. Ferguson's plans to build an office building on the parking lot have been sidetracked for awhile. Mayor Crawford responded that Mr. Ferguson's option on the building must be exercised before September of this year, his plans for an office building are on hold, but it is hard to give more information until they hear further from Mr. Ferguson. Councilmember Schmidt said She met with Mr. Ferguson and Roxanne Peterson of the Lansing Civic Arena last Friday to discuss questions about the Meals on Wheels program. Mr. Ferguson does intend to exercise his option on the building by September 1993. However, he has committed to the current tenants for at least two years. No one should have to move for at least two years.

Doctor Earl T. Pauley, Jr. of 601 N. Cedar St. spoke regarding the possibility of war in the Gulf. He asked Councilmember Schmidt to assist him in his efforts to draw veterans benefits. He is a veteran, but, he does not receive any veterans benefits. He asked Councilmember Brockwell if anything could be done by the Building Department about property at 808 N. Cedar. He thanked the City for the tribute to Dr. King. Councilmember Schmidt said she would be glad to meet with him regarding his problems with veterans benefits.

Tom Shields of 1118 Riley said that some people label Lansing as a 5:00 community, saying it is dead after 5:00, but these people are not attending City Council meetings. There are more people at City Council meetings than are at Omarr's. He hopes that Council does not start charging a gate fee for their meetings. The City, he said, has a better retirement program than UAW. Three years and out.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Politicians are coming to meetings to find out how to retire. No one understands the retirement plan and no one can explain it. Maybe Council should bring Mayor McKane back to explain the plan to them. He expressed his concern over the cost of training employees to assume new responsibilities.

John Erickson of 620 Jessop said he does not like the way President Canady talked to Councilmember Beal. He should be respectful to her. She has to be respectful to him. He agrees that the Mayor should get rid of City Attorney Knot if he wants to be re-elected. They need to concentrate on getting rid of crime in the city. The early retirement program sucks.

Gary Andrews of 560 Brookland Blvd. apologized to Council for his angry address to them last week. Last week he requested that Councilmember Brockwell be removed from office for his attack on him (Andrews). He charged Councilmember Brockwell with being in violation of the following sections of the City Charter; 1-302, 2-103.1, 2-106, 2-302, 3-103, 3-207.1 and 3-207.3, 3-310, 5-501.1, 5-504.2 and 5.504.3, and 8-101.1. All of these matters deal with standards of conduct, and violations of civil rights and public trust. He requested that the Ethics Board be empaneled to investigate his complaint.

Harold Leeman of 529 N. Francis asked Councilmember Benavides when the Ways and Means Committee first began talking about the Cablecasting allocations. He never saw it on the agenda. He thanked Council for the timer at the podium and for the interview. He asked for discussion of the recycling rules. Why has Council put a sign up on the hallway door saying authorized personnel only? What is Mayor Crawford doing about the appointment of Department Heads? He has gotten calls about this. There has been a lot of time spent on the automobile fleet issue. He hopes Mayor Crawford appreciates this and that the cars are going to be marked for easier identification in the future. Mr. Boyd should have taken a car from the automobile fleet, not bought a new one. Mayor Crawford responded that they are still working on the auto fleet issue and re-evaluating the need for employees to keep their cars. Sid Worthington is on a short-term temporary contract as liason between the Personnel Department and the Planning Department only until they get a new Planning Director. President Canady said they put the sign up because they need to increase security. Councilmember Benavides reported that the memo from the Cable Advisory Board was submitted to the Ways and Means Committee on November 25, 1992. He will research when the final approval was voted.

ADJOURNED 9:15

MARILYNN SLADE, ACTING CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, January 25, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
January 25, 1993

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Canady

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Richard Lilly

MAYOR CRAWFORD PRESENTS 1993 STATE OF THE CITY ADDRESS

Good evening, ladies and gentlemen, and thank you for joining us tonight.

I stand before you honored to be your mayor, but all too aware of the storm of criticism that has brought us to this place.

When Charles Dickens wrote the familiar first lines of *A Tale of Two Cities,* he could have been describing my thoughts and feelings as I speak to you tonight:

> "It was the best of times, it was the worst of times,
> it was the age of wisdom, it was the age of foolishness...
> it was the season of Light, it was the season of Darkness,
> it was the spring of hope, it was the winter of despair,
> we had everything before us, we had nothing before us."

Although Dickens wrote those words in the mid-1800s about an entirely different era, they ring true for our city even today.

For those of us living in the here and now in Lansing, Michigan, I'd add one more line: It is a time of change, and it is a time of challenge.

It is a time of change...as 144 city employees leave City Hall, creating an opportunity to save this city at least two-million-dollars a year at a time when we must desperately pinch every penny.

It is a time of challenge....as we aggressively strive to pull this city up by its collective bootstraps and move forward with programs that will really meet the essential needs of our community without bankrupting it.

It is a time of change...as the traditional rules and "red tape" burdened bureaucracy gives way to a new mission-driven government that is people-oriented and results-oriented.

It is a time of challenge...as we learn to say no to unaffordable salaries and unrealistic perks: as we work together—management AND labor—to resolve difficult problems like out of control health care costs that are draining this city just like it has other communities and industries across America.

It is a time of change...as we reorganize city government to serve people as effectively and efficiently as possible by reducing the size of some departments and eliminating others by merging programs and services.

It is a time of challenge...as we seek the best and the brightest to lead this city at all levels. Challenge and change—these are the watchwords for our city in 1993.

But it's much easier to say than do.

The difficult thing about change is that no one really likes it. It roots out the old, pushes the traditional, nudges the entrenched. It forces us to open new doors and windows, locking out the old tried and trues as we push for the innovative, the progressive.

I, for one, am ready for change. Why? Because without change, I am absolutely convinced that we will cave in on ourselves, leaving a crumbling foundation that can no longer survive.

Why change?

Because without change, we will have business as usual in City Hall...and this city cannot tolerate the business-as-usual-approach nor the divisiveness that has rocked this Chamber for the past several weeks.

Why change?

Because without change, City Hall will echo with the cries of the self-righteously discontent and they will be right.

Our challenge, then, in 1993, is to foster and manage change in a way that is responsive to the needs of the people and responsible to the severe financial constraints under which we are working.

Our challenge, too, is to restore the trust and confidence of the people of this city in us, city government. We must, together, heal the rifts between us.

Unfortunately, we are working under severe financial constraints. We are talking about projections that, had the early retirement NOT been instituted, had this city facing a two-million-dollar deficit. As it is, it's likely we CAN avoid a deficit this year.

The expense of city government has grown at twice the rate of our income. This does not work in our personal checkbooks and it does not work with the city checkbook either.

A year ago, we were told that the financial condition of the city was bleak. A task force of local business leaders told us that the city would be bankrupt in as little as three years if we kept spending the way we were. And a major credit reporting service put this city on a Credit Watch, further endangering our future.

Add to that those economic problems we can do nothing about—like the potential for a plant closing, the State of Michigan's own deficit, and the fact that property tax revenues are stagnant and our income tax revenue this year was $328,000 LESS than last

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

year—and you can begin to see the horrendous situation we faced.

We did not sit around and twiddle our thumbs. wondering what to do. Instead, we took strong and decisive action. The solution—early retirement—will save this city in excess of two-million-dollars per year.

For this decisive action. We were rewarded by Wall Street, maintaining our credit rating and our buying power.

As controversial and unpopular a decision as the early retirement program has been. I believe it was the best way to relieve this city of some of the highest paid employees on the city payroll. Will these employees be missed? Of course they will. The alternative? Either a large property tax increase, laying off far more employees than the early retirement plan eliminated, and the likelihood of severely cutting police protection, fire protection, and other services critical to our citizens.

Unfortunately, lost in all the rhetoric and controversy has been the ultimate conclusion and that is this: We got rid of a two-million-dollar deficit—a fiscal crisis that was poised to rock this city to its very foundations—without severely reducing essential services or raising taxes on anyone. That's right—those were the ONLY other options: Cutting YOUR services drastically or raising YOUR taxes. I believe we made the best decision for this city under the circumstances.

Now it's time to move on. It's time to prepare this city for the 21st century.

Although I've been your mayor for only a few short weeks, I am confident of my ability to lead us in the right direction. I appreciate my former Council colleagues who, during my three years on Council, allowed me the privilege and the challenge of serving as vice president and president. Their confidence has allowed the opportunity for this mayor to learn what works, what doesn't work, and what should work in City Hall.

One of the first messages I got when I took office a few weeks ago was from a resident who wanted to know what my intentions are for the city.

Well, Ken, I'll tell you what my intentions are for this city.

In THIS City Hall, government WILL respond to the needs of the community by making sure we get down to basics. New programs are great, but we shouldn't be pursuing a single new initiative until we make sure we're making good on our commitment to the people who live and work in our city. By that I mean that we must make sure we're providing basic services to everyone. We all focus on police and fire protection, and we should-they are critical. But other services and the hard-working people who do the work, cannot be forgotten. Road maintenance, including those outstanding crews who keep our roads cleared and safe during these winter months, is but one example.

Street maintenance is especially challenging, as we are only able to meet about a third of our needs each year. That means that each year we are falling even further behind as our needs quickly outpace our resources.

In THIS City Hall, we will make sure we live within our means. We will not mortgage the future in the hopes that someday someone will find a way to pay for what we want to buy now. That is not only unrealistic, it's totally irresponsible and has no business being a policy in this City Hall.

In THIS City Hall, we will enhance and improve our city services with FEWER people, staying on budget and NOT raising taxes. That means looking at new, creative, innovative ways to do more with less.

In THIS City Hall, we will undertake a comprehensive reorganization of municipal government that will FORCE efficiency on ourselves and ensure accountability to the people of Lansing. Some departments will be completely eliminated; others will be consolidated for greater effectiveness and efficiency.

This will be one of the most comprehensive city government restructuring and streamlining missions ever tackled by a sitting mayor and it WILL be done—with your help and with your ideas.

In THIS City Hall, we will bring together residents from all walks of life to help us put together the city of the future.

The end result will be a vision of our city that will be OUR vision not my vision and not the vision of Lloyd Teets, Harold Leeman, or any of the other City Hall regulars. This will be OUR vision...one that reflects the needs and concerns of EVERYONE who lives here—

...from business owners on the south side of Lansing to neighborhood activists on the near West side;
...from hospital administrators to downtown retailers;
...from taxi drivers like my new friend Dave Dunckel to teachers who are shaping the leaders of the future;
...from moms and dads who are raising families in tough economic times to senior citizens who have raised their families and yet are still contributing their time and energy to our city.

I owe a great deal of thanks to the department directors and interim directors who have worked long hours as a team to recommend where to cut, how to streamline and the best ways to consolidate. Trust me, it is not easy. It has been—and will continue to be—a painful and difficult challenge. But these professional men and women are doing something that is rare in government. They have put aside their self interests and are working hand-in-hand for the best interests of the people of Lansing. I am proud of them and our hard-working employees under them. This Council can also be proud of them, as can all the people of Lansing. I would like them to stand up and be recognized.

But as I said, their input, the Council's input and my input is but the beginning. I want and need your input.

I will, as your mayor, be arranging several forums in the weeks ahead, both here in City Hall and throughout the community to hear YOUR ideas and dreams for the future, YOUR criticisms of the past, and YOUR suggestions for a better tomorrow. It's time to stop talking at each other, and begin talking WITH each other.

Now is not the time to dwell on the past, offering an historical perspective on the late great '70's — an era when money flowed into this city faster than we could spend it. Those days are long gone. We cannot depend on the federal government to fix our problems, nor can we turn to the state.

Instead, we must rely on ourselves—business and labor leaders, neighborhood and civic leaders, educators and clerical leaders—to come together in new ways to address the challenges facing this

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

city.

One of our principal challenges is to preserve and protect essential city services when and where they are most needed—and at a time when we continue to be buffeted by budget constraints that allow for NO revenue increases.

First, we must preserve and protect...our neighborhoods. That means taking a long, hard look at the recommendations of the Housing Partnership, spearheaded by the city's Planning Department. This group of more than 200 people from all walks of life—people who share a common goal to improve our city's neighborhoods—came together to find ways to make Lansing more competitive with the suburbs, improving the quality of our homes and our neighborhoods while keeping our housing prices some of the best in the country.

We're also looking hard at a new concept—called Neighborhood Enterprise Zones—which could provide tremendous incentives to people who redevelop existing housing or build new housing within city limits.

To ensure that we always have our finger on the pulse of Lansing's neighborhoods, I will appoint, as recommended by the Lansing Neighborhood Advisory Council's Commmittee on Reorganization, a Neighborhood Advisory Committee to meet regularly with me and to advise this mayor and this Council on issues of importance to neighborhoods. This includes budget priorities and the allocation of funds and resources.

Make no mistake about it—our neighborhoods are the lifeblood of this city. We will do everything in our power to shore them up.

We must preserve and protect our own unique park system—one of the best in Michigan.

That means improving Fenner Arboretum, Potter Park Zoo, Moores Park, the boat launch at Grand River and renovating the tennis courts at St. Joe and Clifford Parks—all slated to be completed by early this summer. Our River Trail—one of the most popular destination points in this city—is now connected from Kalamazoo and Clippert streets near Michigan State University to Dietrich Park in north Lansing. And all of this is thanks to you, by the way, the voters of the City of Lansing, who saw fit to build for the future by supporting the five-year development millage back in 1990. Thanks, too, must go out to an outstanding citizen, Kris Nicholoff, who has single-handedly twisted arms and tapped the checkbooks of businesses throughout this community, raising more than 37-thousand-dollars this past year for the Lansing Youth & Recreation Foundation. We must also thank the corporate citizenship of those who supported Kris in this effort. This project has supplemented our youth recreation programs by providing much-needed additional programs and activities for our city's youth.

We must continue to preserve and protect...the environment and public health of our community with the fewest dollars possible. I commend the leadership the Public Service Department has taken in aggressively fixing some of the thorniest problems in municipal government. First, they have successfully completed the first year of our 30-year Combined Sewer Overflow Control program—a $176-million dollar program that will ultimately mean no overflows into our precious rivers. For those of you who put up with the headaches of CSO construction done in front of your house last summer—and that includes the Governor—I thank you for YOUR patience and cooperation. And for those of you scheduled for this summer, I ask that you demonstrate the same spirit that these Lansing neighborhoods did.

Thanks to a two-million-dollar grant from the Michigan Department of Natural Resources, we're cleaning up the ground water at the Diamond Reo site. We're installing a groundwater collection system by the end of 1994, and will treat the ground water until it's cleaned to state and federal standards.

I am especially proud of this city's commitment to its environment and I commend each and every one of you who has made it a habit of bringing your recyclables to the curb every week. Thanks to you, we collected nearly 3,400 tons of recyclable materials—solid waste that otherwise would have been headed for the landfill. My goal this year is to increase participation and to move forward with a multi-family plan that works for EVERYone.

We must preserve and protect our citizens—the people we live and work with—with our police department reaching down into the community as they have never done before...working hands-on to help solve problems BEFORE they turn into crimes. We are concentrating especially hard on preserving and protecting our children. This year we're reaching out to every single fifth grader in the Lansing Public School System—all 1500 of them, plus nearly 200 in private schools—with the DARE program, Drug Abuse Resistance Education. I spoke last week to the DARE graduates at Cavanaugh Elementary. It's exciting to these young people being prepared today for the trials of tomorrow.

This community is to be commended for helping to significantly reduce the rate of crime this past year. The total number of reported crimes in Lansing were down by 10 percent — an amazing statistic, given what other communities are facing.

I want to commend our officers, too, for their efforts both on and off the job—in particular Officers Hudak, Lawrence, Magnus, Wolfe and Gomez, among many others—for their success with the Lansing Police Athletic League—called PAL. These officers took it upon themselves to put this program together this past fall with a soccer league that reached out to 150 kids...and they have plans for basketball, which will start February 2nd.

Our police department is working hard to recruit qualified candidates into the force who represent the true population of the City of Lansing.

These are excellent examples of our police department's efforts as they begin their centennial year.

Also preserving and protecting our safety is the Lansing Fire Department. As one of the best trained and equipped departments in the region, it too is focusing its efforts on our children with two critical projects. First, the department's aggressive public education campaign tripled its efforts in the Lansing School District this past year reaching out to more than 4,000 students with fire safety talks. Also, thanks to resident Cinda Elzroth and Lansing firefighter MAJAHID ABDUL-HAMEED the Lansing Smoke Detector Project was created. Its goal is to raise enough money to buy a smoke detector for every child in Lansing.

We must also preserve and protect our economy as it rides the uncontrollable waves generated by General Motors and state

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

government. First, we must continue to work closely with the Lansing Regional Chamber of Commerce and its Capital Choice efforts, rejoicing in its recent success—even if that success is down the road apiece. Landing Magnesium Products of America for the Lansing area will mean jobs for many Lansing businesses.

Next, we must wean ouserves from our dependence on the three "C's"—the campus, the cars and the capitol—and build diversity into our economy by focusing our attention on small and medium-sized businesses. They will be the prosperous ones to watch in the '90's and beyond.

I am especially keen on the efforts of the Greater Lansing Convention & Visitors Bureau as they expand our horizons beyond an already astounding track record. These folks helped woo more than 50,000 bowlers to our town, helped the Chamber bring in the LPGA, convinced Drum Corps International to pick us INSTEAD of cities such as Toronto, Dallas, Atlanta and San Diego and, of course, brought the Big Three—Clinton, Bush and Perot—to our doorstep.

On a personal note, I do enjoy the title of "Mayor." However, there is another title that is far more important to me. And there are only two people in this world who can call this mayor by his favorite title: "Dad." I want to recognize and thank my sons, Jason and Paul, and my wife Romy. They have endured three weeks of a man preoccupied with doing right by the people of Lansing. Their support, endurance and love will be eternally appreciated.

It was a spring of hope, a winter of despair, Dickens wrote. Today I do not see despair, I see hope. I see a city that recognized a fiscal problem and dealt with it. The season of darkness is behind us and the season of light is ahead. By coming together resident and non-resident, locally and regionally, businesses and neighborhoods, labor and management—by working together we can take our potential and make it a reality. There is no reason that our capital city with our people cannot become one of the most attractive, properous and vital places in all of America.

This city has much to be thankful for...so many things in which we can take great pride. We must never lose sight of the very qualities we cherish as a community. We must not let our disagreements and disappointments get in the way of our ultimate destination—a city that is willing to work hard for the people it serves, providing a firm foundation that is steeped in trust and respect, openness and honesty.

It's time ALL of us got to work.

Thank you.

CONSIDERATION OF LATE ITEMS

By Councilmember Belen

To accept the following under Suspension of the Rules

1/ From Councilmember Belen a request that the rules be suspended to adopt XII B-3 and XII B-4, Resolutions approving the appointment of Richard Lilly to Councilmember At Large seat and the appointment of Marilynn Slade to the City Clerk position, during the Special Ceremonies portion of the agenda

2/ From Councilmember Benavides a request to remove Item XII B-3, Council appointments to the Tri-County Regional Planning Commission, from tonight's agenda

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. In Consideration of an order to Make-safe or Demolish property located at 1030 E. Kalamazoo

Lloyd Teets of 116 E. Elm St. asked which of the nine criteria regulating unsafe and dangerous buildings this property falls under? What size is this lot? Lots less than 60' wide require a special variance in order to rebuild on them. Most of the houses that are being knocked down are not on lots 60' wide. Councilmember Brockwell reported that this is the second public hearing for this property. A Building Department Representative was on hand to answer Mr. Teets' questions. He reported that the width of this particular lot is 33'. The depth is 120'. It was previously brought before Council on August 10, 1992, however, the City had failed to properly notify one of the owners of record, and so the process had to be repeated. Mr. Teets said he opposes knocking these houses down because new houses cannot be built on the existing lots. They are destroying houses that people could live in.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

PUBLIC COMMENT

Howard Jones of 426 W. Barnes said that Council should not transfer any money to impede the work of the Ethics Board. If the City pays outside attorneys to fight the actions of the citizens who are trying to dig out the truth of what really happened with the early retirement program, then they should begin paying the legal expenses of the citizens who have had to hire attorneys to fight the actions of the City. It is time for a new beginning. What programs are these funds going to be taken away from?

Paget Maynard of 902 W. Shiawassee said he has heard no justification for what the Law Department is doing. It is time for the City Attorney to provide good solid answers to their questions. It is time for the playing around to stop. The ball game is over, and it is time to get down to business. Has anyone on Council ever heard of accountability.

Charles Creamer of 523 Everett Drive congratulated Mr. Lilly on his appointment to Council and congratulated Council on their excellent choice. Regarding his own application for this appointment, it was not his intent to cause complications for Council, and because such complications did arise from his filing, it is better that he was not appointed.

Lloyd Teets of 116 E. Elm St. insisted that the appointment of Charles Creamer, to the vacant Councilmember At Large position was a 'done deal' until he questioned it. He was surprised to see Mr. Lilly receive the appointment and hopes that he will improve the integrity and quality of government on the City Council. He invited everyone listening to attend a fund raiser for CBL. It will be held at Ramon's Restaurant on S. Washington this Friday. He will supply proof at this fund raiser that the appointment of Charles Creamer to Council was a scam. He criticized the interviewing process that was used, saying, you never hire anyone after a 3 minute interview. He said he has never seen Mr. Lilly at a Council meeting before.

Thomas Shields of 1118 Riley asked when the Law Department's fiscal year starts. How many Attorneys are presently working for

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

the Law Department, and, where did they graduate from? Why can't one of these attorney's take over this case on behalf of the City Attorney? City Attorney Knot responded that ethics would not permit one of his employees to take over for their boss.

Harold Leeman of 529 N. Francis asked for an amendment to the resolution transferring $100,000 to the Law Department. He would like language included that would require regular reports to the Committee of the Whole on the amount of funds expended. He said candidates for the City Clerk's position took cheap shots at the Clerk's office during the interview process, making it appear that the office was being run inefficiently. The problem was not with the Clerk's Office, but with the Clerk himself. He suggested that the interview process be reviewed and that the public be given more information about the candidates.

Blagoy Pogoncheff of 1509 E. Grand River suggested that Mr. Lilly allow himself to be directed by the people of the City. If he is going to let the 'good old boys and girls' tell him what to do, he should get out.

Douglas Fairbanks of 1077 Heavenly Way said that he hopes the City Clerk will run again. Richard Lilly will probably do a very fine job. It is a lot of work, but, it only takes some breaking in. It is time to get over the early retirement issue and get on with other work.

Clyde Smith of 2244 Tecumseh River Drive supported the transfer to the City Attorney's Office. The people of the City are the ones who are being sued by this lawsuit, not just City Council. The people of the City of Lansing had better wake up. They are being sued and they need the best legal representatives they can get to prove their case. Let the court system adjudicate this issue from here on out. There is no doubt that Councilmember Beal is very interested in the tax payer's money, but, once the suit has been filed there is no recourse but to defend the City. Citizens of the City do not want to lose this case. The City Attorney made the proper recommendation to refer this case to a specialist. This is in the best interests of the tax payers. What good is the Ethics Board's involvement in this case? The court is not going to rule according to the Ethic's Board opinion. He thinks the City is going to win this case. Please pass this resolution to provide the proper defense to the City.

Russell Carey of 121 E. Mt. Hope said that, if the City must hire outside lawyers to defend it, then our's must not be any good. He is opposed to the transfer of funds and the demolition of homes.

Andrew Anthos, no address given, stated that he wished to give his time to Lloyd Teets so that he could make additional comments. Lloyd Teets was informed by Council President Canady that there is no provision for this in Council Rules. President Canady requested that Mr. Teets leave the podium. Mr. Teets refused to leave the podium. President Canady called for a 5 minute recess of Council.

Council recessed at 8:25 and reconvened at 8:30

Ken Vaughan of 114 Garden St. said that for the first time he wants to congratulate Council. They really did something worthwhile when they appointed Marilynn Slade as City Clerk.

Chris Pogonchff of 732 Clark St. said he is ashamed of Councilmembers who ran away from their seats so that they did not have to hear something that they would not like. He does not believe that the City needs special attorneys to defend this case.

Tom Smith of 722 N. Logan suggested that Council President Canady modify his attitude towards the audience. He should have a better sense of humor.

Jack Davis of 232 S. Capitol welcomed the new Mayor, Councilmember, and City Clerk. He attended tonight because he wanted to see what goes on at Council meetings firsthand. It is courageous of Councilmembers to accept all of these responses during a phase when it is fashionable for the public to be rude, crude and impolite. They should not give 5 minutes for these comments. Council time is valuable and he recommends that the time limit be reduced. It is unfortunate that the situation has arisen that allows some citizens to become this way with Council. He works with retirements and understands the need for special counsel to represent the City. He does not know anyone that comes before Council that knows anything about this issue. Early Retirement is very well accepted all across America. This was a very responsible decision. It is a creative and useful way to cut payroll. He encouraged people who have positive constructive ideas to appear before Council and stop all of this destructive talk. He offered the services of his law firm to the City. Council is trying to do what is best for the City, and most of the responsible citizenry appreciate this. Councilmember Beal asked Mr. Davis what his home address is. He responded that he lives in Okemos.

Max Kirshun of 420 W. Ottawa said that he knows nothing about the early retirement issue, but, he thinks the citizens of the City are upset because someone who has only worked for 8 years can retire. This is only 1/3 of the amount of service time that Oldsmobile requires for retirement. Instead of hiring a new attorney, they should hire a new prosecutor. He resents being called a rabble rouser.

Helen Bailey of 1622 Cooper Ave. objected to President Canady calling the recess earlier. The question they need to ask is "why is the City being sued." It is because of the incompetence of the elected and appointed officials that were representing them. Citizens of the City of Lansing do not believe that their best interests were being served when they voted for the early retirement plan. She has heard that 114 of the 144 employees were eligible for retirement without the 5 year incentive. Is this true? She wished good luck to Mr. Lilly, but, warned him that if he gets caught up in the 'good old boys routine', he will be made history just as the rest of Council will be. She accused Council of making this appointment based on political affiliation.

Pat Murray of 1720 Bradley said that if we are going to hire outside attorneys for everything, then we should just hire outside attorneys for everything. We could pay someone a lot less than we pay City Attorney Knot to speak knowledgeably and answer questions.

SPECIAL CEREMONIES

Council President Canady declared this to be the time for action on the resolutions of appointment to the City Council and City Clerk vacancies. Resolution #51 appointing Richard Lilly to the vacant Councilmember at Large seat was approved by motion of Councilmember Belen and unanimous vote of Council. Resolution #52, appointing Marilynn Slade as City Clerk was approved by motion of Councilmember Schmidt and unanimous vote of Council. Mayor Crawford conducted the swearing in ceremonies for Councilmember Lilly and City Clerk Slade. Both appointees

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

received the congratulations of Council.

Councilmember Lilly thanked his fellow Councilmembers for their trust. He prays that he will prove worthy of it. He believes that the number one issue is restoring confidence in City Government. He believes in an open door policy. He may not have been chosen by the people, but, he is still accountable to the public for the votes he casts. He pledged to use an open ear to the public and an open hand to fellow Councilmembers. He has been in the position of being questioned about the votes he cast before too. He believes Councilmembers to be honorable men and women trying to do the best for the City. He sent his love to his son and promised to do the best for the community. He will debate hard, but, debate fair and stay on the issue not drift off onto personalities. No one person deserves greater consideration than the total community.

Marilynn Slade, City Clerk thanked Councilmembers for their support. She thanked the staff in the City Clerk's Office for their support and hard work over the last year. She expressed her hope that she will earn the trust and respect of the people of the City of Lansing. She pledged that her office would always be open for citizens to address their problems and to resolve them. Written requests will be quickly responded to, and the City Clerk's Office will be non-partisan. All funds will be accounted for, all records related to expenditures will be open to public review, and she will not accept a City car. She will continue to drive her Oldsmobile.

COMMUNICATIONS AND PETITIONS

By Councilmember Benavides

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Canady

Carried unanimously

A. Notice from the Michigan Department of Natural Resources of Permit #936004 issued to the City of Lansing, Wastewater Treatment Plant for Belt Filter Press Installation

REFERRED TO THE MAYOR

B. Notice from the Michigan Department of Social Services of the closing of a Foster Family Group Home located at 3016 Risdale, operated by Patti Holland

REFERRED TO THE MAYOR

C. Notice from the Michigan Public Service Commission of a Hearing for the Customers of Consumers Power Company Case #U-10248 on January 28, 1993 at 9:00 A.M. at the Office of the Public Service Commission

RECEIVED AND PLACED ON FILE

D. Claim from David A. Waltz and Diana L. Andress-Waltz for demolition of their structure at 124 Bell St.

REFERRED TO THE CITY ATTORNEY

MAYOR MAY COMMENT

Mayor Crawford had no comments at this time

CITY OFFICER AND BOARD REPORTS

A. Letters from Acting City Clerk submitting routine applications for action on licenses and bonds:

1. **RESOLUTION #47** January 25, 1993

President Canady and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Steve Martin, Orville LeRoy James

Sincerely,
Marilynn M. Slade, Acting City Clerk
City of Lansing, MI

By Councilmember Schmidt

To accept the recommendations of the Acting City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the Acting City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of January 19, 1993 for Review

RECEIVED AND PLACED ON FILE

C. Reports of City Authorities and Boards

1. Board of Water & Light 1992 Annual Report

REFERRED TO THE MAYOR AND
THE COMMITTEE OF THE WHOLE

2. Letter from the Greater Lansing Convention/Exhibition Authority submitting their 1993-94 Budget and Estimated Subsidy Requirement

REFERRED TO THE MAYOR,
THE COMMITTEE OF THE WHOLE, AND
THE COMMITTEE ON WAYS AND MEANS

3. Letter from the Greater Lansing Convention/Exhibition Authority submitting their Five Year Review for Fiscal Years 1988 through 1992

RECEIVED AND PLACED ON FILE

D. Department of Public Service Bid Instructions for the Wastewater Treatment Plant Belt Filter Press Installation

RECEIVED AND PLACED ON FILE

E. Letters from the Mayor re:

1. Update on the Lansing Center Expansion and Renovation

REFERRED TO THE COMMITTEE OF THE WHOLE

COMMITTEE REPORTS

RESOLUTION #48
THE COMMITTEE ON GENERAL SERVICES, to whom was referred the petitions asking that the City of Lansing be declared a Zone Free of Assisted Suicide,

REPORTS AS FOLLOWS: The Committee reviewed this matter in great detail, including a study of PA 270 of 1992, created the felony offense of "criminal assistance to suicide." The Committee was advised that this new law pre-empts the City from taking any action on this subject. A letter and a copy of the law will be sent to the

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

petitioners. This report is for information only, and no Council action is required.

Signed: Charles Ford
Alfreda Schmidt
Robert Brockwell

BY COUNCILMEMBER FORD:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTIONS

RESOLUTION #49
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Ruth Timko filed a claim against the City in the amount of $262.00 in protest of a special assessment for a weed-cutting by the City of the area on both sides of the sidewalk on her property at the corner of Edgebrook and North Grand River Avenue; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim, which was concurred in by the Claims Review Committee; and

WHEREAS, the claimant appealed the denial to the City Council and appeared before the General Services Committee, furnishing testimony in support of the claim; and

WHEREAS, the Committee determined that the claimant was given proper notice of the tall grass violation, and attempted to cut the weeds within the compliance period but did not complete the work by the time of the reinspection due to construction vehicles parked on her property, that the photographs taken by the City's contractor could not be produced for the Committee, and the amount of work actually done by the contractor could not be substantiated; and

WHEREAS, the Committee recommends that under the circumstances of this particular claim, the City should offer to settle by removing the administrative service charge of $190.00, leaving the contractor's charge of $72.00;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to offer to settle the claim of Ruth Timko by reducing the original $262.00 special assessment to $72.00; and

BE IT FURTHER RESOLVED the City Attorney is requested to notify the claimant of this action; and

BE IT FURTHER RESOLVED if the claimant does not contact the City Attorney to indicate acceptance of this offer by 5:00 PM on Friday, February 12, 1993, this claim shall be considered denied.

BY COUNCILMEMBER FORD:

That the resolution be adopted and sent to the City Attorney for follow-up action.

CARRIED UNANIMOUSLY

January 25, 1993

RESOLUTION #50
BY COMMITTEE OF THE WHOLE 1/21/93

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfer be approved:

$100,000 from Gen. Fd. Bal. A/C 101-0-390001-0
100,000 to City Atty
Bgt. Ctrl. Acct. A/C 101-172900-992200-0
(Additional funds needed for outside legal assistance, to pursue litigation currently in progress. To memo account 101-172900-743666-0 Professional Services/Early Retirement.)

Submitted by:

Douglas Rubley, Interim Finance Director
I hereby certify that funds are available.

By Councilmember Benavides

Adopted by the following vote:

YEAS: Councilmembers Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

NAYS: Councilmember Beal

Item XII B-2, Resolution Approving City of Lansing Appointments to the Tri-County Regional Planning Commission, was pulled from the Agenda by motion of Councilmember Benavides and unanimous vote of Council

RESOLUTION #51
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, a vacancy exists in an At-Large seat on this Council due to the transition of Councilmember James Crawford to Mayor upon the retirement of Terry McKane; and

WHEREAS, the Charter authorizes the Council, by a majority vote of members serving, to "appoint a qualified person to fill the office until January first following the earliest November general election at which a successor can be elected;" and

WHEREAS, the vacant seat's term of office would expire at noon on January 1, 1994; and

WHEREAS, the Council Committee of the Whole has reviewed all applications and interviewed 34 individuals who expressed interest in filling the vacancy;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 25th Day of January, 1993, hereby appoints Richard J. Lilly to serve as an At-Large Councilmember and complete the term that ends at noon on January 1, 1994. By Councilmember Belen

Carried unanimously

RESOLUTION #52
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, a vacancy exists in the office of City Clerk due to the retirement of James Blair; and

WHEREAS, the Charter authorizes the Council, by a majority vote of members serving, to "appoint a qualified person to fill the office until January first following the earliest November general election at which a successor can be elected;" and

WHEREAS, the vacant position's term of office would expire at noon on January 1, 1994; and

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

WHEREAS, the Council Committee of the Whole has reviewed all applications and interviewed 13 individuals who expressed interest in filling the vacancy;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 25th Day of January, 1993, hereby appoints Marilynn Slade to serve as City Clerk and complete the term that ends at noon on January 1, 1994.

By Councilmember Schmidt

Carried unanimously

ORDINANOES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

CONSIDERATION OF LATE ITEMS

1. From Councilmember Belen a request that the rules be suspended to adopt XII B-3 and XII B-4, Resolutions approving the appointment of Richard Lilly to Councilmember At Large seat and the appointment of Marilyn Slade to the City Clerk position, during the Special Ceremonies portion of the agenda

THE RULES WERE SUSPENDED AND RESOLUTION #51 AND #52 WERE ADOPTED DURING THE SPECIAL CEREMONIES PORTION OF THE AGENDA

2. From Councilmember Benavides a request to remove Item XII B-3, Council appointments to the Tri-County Regional Planning Commission, from tonight's agenda

THE RULES WERE SUSPENDED AND THIS ITEM WAS REMOVED FROM CONSIDERATION ON TONIGHT'S AGENDA

TABLED ITEMS

A. BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

1. Resolution approving the Sale of Vacant Land on Pere Marquette St. to the Pere Marquette Group (Item XII A-4 from the January 19, 1993 Agenda)

2. Resolution approving the Sale of Property on Pere Marquette St. to Clara's (Item XII A-5 from the January 19, 1993 Agenda)

3. Resolution approving the Sale of Parking Lot to Pere Marquette Group (Item XII A-6 from the January 19, 1993 Agenda)

4. Resolution Approving the Sale of Property on Pere Marquette St. to McNamara's (Item XII A-7 from the January 19, 1993 Agenda)

There was no motion regarding these tabled items

MAYOR'S EXECUTIVE ASSISTANT'S COMMENTS

Mr. Boyd reported that the City has received many phone calls about the condition of side streets due to the recent winter storms. Crews have been working on the streets all weekend. In extreme cold temperatures salt does not work on iced streets. Under those conditions the use of sand is better than salt. Sometimes they use a mixture of sand and salt to provide both melting and traction. He apologized for not being able to provide better road conditions, however, the situation is caused by an act that they cannot control.

COUNCILMEMBER'S COMMENTS

Councilmember BrockWell wished congratulations and good luck to the Gallante family, Tina Gallante, a member of Council staff, gave birth to a baby girl on Saturday, January 23, 1993. The baby's name is Nichole Rose. He also wished congratulations to Kevin McKinney and Kelly Rossman on the birth of their baby boy. He said that He and Mr. Davis go back a long time. Mr. Davis grew up in the City, works in the City, and owns property in the City. They went to school together. He is a good man. Regarding the choice for appointment to the Councilmember at Large seat, it was very difficult for him to make a choice between two friends. It is difficult to say no to one friend while saying yes to another. He thanked Charles Creamer for appearing at Council tonight and endorsing Mr. Lilly's appointment. It exhibits the high quality of personal character that he possesses.

Councilmember Ford announced that General Services will meet at 3:30 P.M. this Wednesday. They will be taking up discussion of Council Rule #19 at that meeting. Anyone interested in speaking to this issue is welcome to attend the meeting. He commended Charles Creamer for his concern over the good of the City, and for appearing tonight to congratulate Mr. Lilly. He thanked Mr. Creamer for filing application to the appointment. Mr. Creamer could have brought a lot to Council. His rationale for voting for Councilmember Lilly was that he lives in the south east area of the City, which is not represented well on a Council that has four Councilmembers residing in the 4th Ward.

Councilmember Schmidt announced that the Metro Governing Board will meet this Wednesday at 2:00 at the Human Services Building on S. Cedar. She requested that the City Attorney have staff available for this meeting. The South Lansing Business Association is having their first meeting of the new year at the Days Inn this Wednesday at 12:00. Tomorrow night the Forrest View Association will hold their first meeting of the year at the University Inn. She asked Mr. Boyd why people who are reserving picnic tables at Francis Park are forced to reserve a minimum of 8 tables at a charge of $35.00. The price of these rentals keeps increasing, and the 8 table minimum is unfair. People should be able to rent one table at a rate for one table. These charges are off base. She wants the charges taken back to the 1982 rate of $3.00 per table. Mr. Boyd responded that he would investigate these charges with Mr. Reickel tomorrow and give her a response regarding the price and the minimum number of tables.

Councilmember Benavides said he was happy to hear Mr. Boyd comment on the removal of snow and ice from secondary streets. The City needs to reassure citizens that they will continue to receive the services that they always have. He has received several complaints about intersections. Many people are simply worried that they will not be taken care of because the City has less employees. He is glad to see that the crews are still working on the streets. He assured everyone that the City is trying to get to every street. It is difficult to predict schedules when there is thawing followed by re-freezing. The area around Hillborn, Kendalwood, and Sheffield needs attention.

Councilmember Belen announced that the Committee on Physical Development will meet Thursday at 3:00. The agenda for the meeting will not be available until Thursday morning, however, because there is such a backlog of referrals that need to be dealt with.

Council President Canady said that he did not recess tonight's

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

meeting because he did not want to hear what someone had to say. There are rules that govern Council meetings. They cannot allow filibustering. He is more courteous to the gallery than they are to him. He will, however, continue to follow the rules of decorum for Council.

PUBLIC COMMENTS

William Bernstein of 420 Baker St. said the City does not need a new face on Council, they need a new Council. He asked why Mayor Crawford was not present. He just got the job, and he is never on it.

Richard Collins of 225 Moores River Drive congratulated Councilmember Lilly and City Clerk Slade. He is sure they will do a good job. He said that the person from Okemos should not be telling Council why Lansing residents should only get one minute to address their government. He chose this city 30 years ago when he moved here from Kansas. He stays here because he likes it. He has been in the position of defending this city to residents of other areas who criticize our schools, neighborhoods, etc. Non-residents should not be allowed to tell residents how long they can use in addressing their government.

Mark Eggleston of 4031 Heathgate read a dissertation on the Early Retirement Plan. He questioned the competence of Council-members, and said their reputation is hanging in the balance. All because of the Early Retirement Program and the eligibility of Elected Officials to participate in it. He stated that legislators cannot be required to testify on what their rationale is for making decisions. Some members of Council were eligible for the Early Retirement Plan. He called on Council to do the right thing and exhibit strong and honest leadership.

Tom Smith of 722 N. Logan said that they have a wonderful gallery here. President Canady is young and efficient. He expects a lot of him in the future. He should be more complimentary of the gallery.

Paget Maynard of 902 W. Shiawassee congratulated the new Councilmember. He said Council must establish a uniform procedure for appointment to elected positions. Prevention, he said, is better than cure. Council may not plan to make decisions that hurt the City, but, they do it. He wishes that someone with expertise in this area had shown Council their expertise when this plan was being developed.

Lloyd Teets of 116 E. Elm St. suggested that Council have the City Attorney write a 20 page rule of conduct for Council Chambers, The 7 page one is insufficient. He attended all of the meetings, on Council rules last year, but none of the public input made its' way into the rule, so he may not bother to attend this time. If Mr. Davis is going to volunteer his expertise in early retirement Council should accept his offer.

Ammahad Shekarakki of 902 W. Willow said he hopes that we can move on and forget about the retirement deal. This is getting ridiculous. He suggested that the City dedicate a memorial to Malcolm X. Dedicate a park or something. Malcolm X proved to his people that you can take a negative and turn it into a positive. Both Malcolm X and Martin Luther King were good men., You have memorialized King, now you should do something for 'X'. Fredrick Douglas also fought for freedom for every black man, woman, and child. In addition he fought for women's rights. He is the one who persuaded Lincoln to abolish slavery. We honor Washington, Lincoln, and Jefferson. We must do something to honor Douglas.

Helen Bailey of 1622 Cooper said that the way the city plows the streets is unacceptable to the tax payers. She was raised across the bridge. Maybe the City should send their drivers to the U.P. to learn how to remove snow from streets. The problem is that the blade on the plows is not low enough. She requested that Councilmembers drive down the streets around Colonial Village. It is the best carnival ride they will ever have. She wants the services that her tax dollars pay for. The City does no sidewalk plowing, and they do not enforce the sidewalk ordinance.

Tim Lewis of 500 S. Pine congratulated Clerk Slade and Councilmember Lilly. He said he was appalled by the actions of Council when Andrew Anthos tried to donate his time to Mr. Teets. He has been watching Council for some months now and is not happy about what has been happening. Councilmember Beal should stay fast and make sure that Council slows down and looks more closely at things. He thanked her for admitting that they may have made a mistake.

William Hubbell of 1003 W. Cavanaugh said people are not happy with past actions of Council, but, it is time to put this behind us. Mistakes were made last spring, but now we must go on. It is time to get on with other business. Councilmember Beal wants to extinguish the tie bar, okay, get on it and put it behind us. He said that he hopes the businesses of the City of Lansing will clean their own sidewalks. They are only cleaning their driveways now and letting pedestrians fend for themselves.

Clyde Smith of 2244 Tecumseh River Drive thanked Council for getting him a lawyer. He hopes we are going to start seeing the light. The Court will make the decision on who did right and who did wrong. He approves of the suggestion for a memorial to Malcolm X.

Blagoy Pogoncheff of 1509 E. Grand River invited the public to attend the next meeting of the Ethics Board. He asked that Channel 28 televise this meeting. A lot of people are interested in the findings of this Board.

Douglas Fairbanks of 1077 Heavenly Way suggested that we should look at what happened to Benton Harbor when they failed to adopt an Early Retirement. Clerk Slade will do a fine job, he said. She should hold office until 2024.

Jack Davis of Okemos, Michigan accused Councilmember Beal of taking a cheap shot at him with her question of whether or not he resides in Lansing. He works in this city 10 hours per day. Non-residents pay taxes to the City of Lansing too. He believes he has the right to speak on this issue. He owns property in this city and has the right to talk about what goes on in these chambers. As long as they tax his wages and take his property taxes they have to listen to his remarks.

Eric Dunn of 501 S. Butler congratulated the appointees. He has just returned to town after several years away at college. Mr. Davis made several valid points. He is shocked by the bickering of this crowd tonight. He hopes that in 1993 issues can be handled a lot more gracefully and personal vanities can be left aside. Let's get on with the issue at hand.

Councilmember Beal apologized to Mr. Davis. She did not intend to offend him. She is sensitive about the remarks that are made against the citizens who come down and speak every Monday

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

night.

Chris Pogoncheff of 732 Clark St. asked what the goal of Council is in relation to the amount of public speaking time they allow. Do they want to allow everyone to have their say? Or, do they want to cut the time to just get it over with? The Board of Ethics meets Tuesday, January 26, 1993 at 5:00.

Ron Kruger of 1841 Beal Ave., an employee of the Public Service Department said they must put the blades on the plows down on the pavement. They have used 4,600 tons of salt on City streets. That costs more than they appropriated tonight. Lowering the blades on the snow plows would be more cost effective than just putting down more salt. His department has had many drivers and equipment operators placed in supervisory positions. They need these workers. He worked close to 80 hours last week.

Andrew Anthos, no address given, said that when he gave his speaking time to Mr. Teets he did so because he wanted Teets to say something that he himself could not say. Refusing his request was unfair. Councilmembers who left the Chambers during this 5 minute period have a lot to learn about courtesy and diplomacy. They need to learn how to be servants of the City of Lansing.

Harold Leeman of 529 N. Francis said that whenever anyone addresses Council they should be required to state their home address. Council does need to adopt a standard process used to appoint Councilmembers. The north part of the Civic Center sidewalk is in bad shape. It is too bad that Mayor McKane and Clerk Blair accepted the early retirement deal. They could have left office with honor like President Bush did.

ADJOURNED 10:40

MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, February 1, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
February 1, 1993

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Canady

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Lilly, Schmidt

ABSENT: Councilmember Ford (arrived 9:25)

The Invocation and Pledge of Allegiance were led by Councilmember Brockwell

MINUTES

By Councilmember Benavides

To approve the Printed Council Proceedings of January 4, and January 11, 1993

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Brockwell

To accept the following under suspension of the Rules:

1/ From Councilmember Brockwell a letter from LaVon S. Martemucci of 934 Seymour St. in opposition to SLU-11-92, SLU-12-92, And SLU-13-92, or any act that results in the demolition of residential structures in this area

2/ From Councilmember Brockwell a letter from Attorney's on behalf of Mrs. Charlotte Bower of 1035 N. Capitol Ave. regarding her opposition to SLU-11-92, SLU-12 92, And SLU-13-92

3/ From Councilmember Belen a Report of the Physical Development Committee regarding Sparrow Hospital's Master Facilities Concept Plan, and a motion that Council President Canady be excused from action on this item. Motion to excuse Council President Canady was adopted by a 8-0 margin.

4/ From Councilmember Schmidt a report from the Traffic Engineer regarding a hazardous situation on E. Holmes Rd.

Council President Canady moved to accept the two Items from Councilmember Brockwell, and the Item from Councilmember Schmidt for appropriate referral

Carried Unanimously

Council Vice-President Brockwell moved to accept the item from Councilmember Belen regarding Sparrow Hospital's Master Facilities Concept Plan for appropriate referral, or action

Carried unanimously, Council President Canady abstaining

SCHEDULED PUBLIC HEARINGS

A. Z-11-92, 1001 N. Capitol Ave., In Consideration of Request to Rezone from "J" Parking to "C" Residential District

Council President Canady announced that the hearings on Items V A., V B-1, V B-2, and V B-3, would all be held concurrently.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

B. In Consideration of the following Special Land Use Requests:

SLU-11-92, 1001 N. Capitol Ave., 1012 & 1022-24 N. Seymour St., and 221 & 225 W. Maple St., Special Land Use Request to allow for development of a Child Care Facility for 65-75 Children at 1001 N. Capitol

2. SLU-12-92, 1012 & 1022-24 N. Seymour St., and 225 W. Maple Street, Special Land Use Request to allow for removal of Residential Structures for development of surface parking lot

3. SLU-13-92, 1026 N. Capitol Ave and Vacant Parcel formerly known as 1022 N. Capitol St., Special Land Use Request to allow for removal of Residential Structure and development of Surface Parking Lot

The following people appeared and spoke in opposition to these requests and to the demolition of residential housing stock in this neighborhood:

-Gladys Gillison of 223 W. Barnes
-Lloyd Teets of 116 E. Elm
-Douglas Fairbanks of 1077 Heavenly Way
-Ammahad Shekarakki of 902 W. Willow
-Mary E. Kiener of 1027 Seymour
-Alex Kruzel 1024 Seymour
-Eleanor Dillon 328 N. Walnut
-Jon Zumbrink of 1502 Dennison, E. Lansing
-Tom Papiernik, owner of Toms Shop Rite
-Carrie Swan, Area Resident
-Paul Scot 412 W. Kilborn
-Lynn Martinez of 417 W. Kilborn
-Mary Margaret Murphy Wohl
-Gerald Carr 211 W. Maple
-Richard Lott, President, Walnut St. Neighborhood Assoc.
-Paul Novak, President Westside Neighborhood Assoc.
-Christopher Steel of 1118 N. Walnut
-Lynn O'Connor of 1101 S. Capitol
-Frank Curtis of Lansing
-Miriam Alfredson of 126 S. Francis
-Mary Jo Purvis of 612 Madison, Pres. Walnut School PTA
-Julie Tubs-Lock of 1107 N. Capitol Treas. Walnut School PTA

At the request of Mary Kiener approximately 40 people stood to demonstrate their opposition to these requests.

The following people spoke in support of these requests:

-Ronald Munk of 2727 Lafayette
-John Meyer, Architect for Emmanuel First Lutheran Church
-John Vogt 226 W. Kilborn, Co-Pastor
-Harold Kraus of 849 Lincoln
-Ray Bretho of 1225 Gordon

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

-Joel Panco of 1907 Gordon Ave.
-Clyde Smith of 2244 Tecumseh River Drive
-Merv Munk of 915 N. Capitol
-Gary Mittner of 2425 Wellington
-Fred Covert of 3606 Glenwood
-Ruth Nixon, no address given
-Steve Black 1301 N. High
-Sherry Edwards of 520 W. Kilborn
-Julie Covert of 3606 Glenwood

At the request of Pastor Vogt approximately 60 people stood to demonstrate their support of these requests

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

Council President Canady declared this meeting of Lansing City Council to be in recess at 9:15 P.M. Council reconvened at 9:20 P.M.

C. In consideration of an Amendment to Part 16, Chapter 1610, Section 1610.01 for the purpose of adoption of the 1991 Uniform Fire Code and Code Standards

There were no Speakers for this Public Hearing

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

PUBLIC COMMENT

William Hubbell of 1003 W. Cavanaugh #4 insisted that Council deal with the recycling issue. They must put these enforcement measures in place. It is time that on site collection for apartment dwellers became available. They now have to travel great distances to recycle. Delaying this issue is just allowing Apartment Managers and Corporations to procrastinate.

Del Maynard of 2017 Culver asked why Council assumes that apartment dwellers will not obey the law. This is a derogatory assumption Council is making about them. They should issue everyone a green container and allow them to participate.

Lloyd Teets of 116 E. Elm St. protested the demolition of the house at 1030 E. Kalamazoo. The owners are being directed to Make-safe or demolish their structure within 60 days of today's date. They were given 60 days rather than 20 because the City failed to provide proper notice to one of the owners. He complimented Council for taking the time to examine the tabled items on tonight's agenda. They have now been fully discussed, and everyone agrees that they should be passed. This is the way Government is supposed to work. They originally tabled these items at the request of Harold Leeman, who also asked them to table the early retirement offer for further examination prior to its' passage. He agreed with Mr. Hubbell's statements regarding recycling for multiple family dwellings.

Harold Leeman of 529 N. Francis thanked Council for not using outside legal counsel on the City Market matter. He asked Council to apologize to Mr. Curtis for his arrest at a City Council meeting. He reminded Council that Mr. Curtis was speaking about the Eaton County Sheriff the night he was arrested. He was ruled out of order because he was not addressing City business and asked to leave the podium, however, the City of Lansing does have three precincts in Eaton County. He asked if the City had qualified personnel to compile the data mentioned in the resolution regarding the storm water runoff costs of the CSO prior to early retirement. He said he is still interested in knowing how much money the City paid the Railroad for the property on Pere Marquette. He knows the road itself cost over $250,000. He would still like to see Council develop a policy for an open bid process. He asked Council to spend some of the money from this sale to lower the density level to the East of this area. Regarding the claim of Alex Walton, this two year old should not have been left alone and allowed to fall through the bleachers.

Frank Curtis of 1137 W. Allegan denied asking for any monetary amount in terms of a claim against the City. He accused Council of playing a game with him. He has yet to receive an apology from Council for the experience he suffered. His children have not received an apology either. He always obeys the law in his appearances at City Council meetings and his kids are all well behaved. He did nothing wrong and the Judge's decision upheld him. The next time something like this happens, he will get a lawyer, he will not play with Council like this again. Councilmember Ford said he would like to clear up a few of Mr. Curtis's misstatements. He did apologize to Mr. Curtis for the fact that he was removed from the podium because of rule #19 D-3. He (Ford) approves of the enforcement of Council rules, but, he does not agree with this rule.

COMMUNICATIONS AND PETITIONS

By Councilmember Schmidt

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Crawford

Carried unanimously

A. Letter from Greg Hodson of 1032 N. Capitol in support of SLU-13-92, 1026 N. Capitol and 1022 N. Capitol

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

B. Claim appeal from Anh Baur of 1128 Dakin

REFERRED TO THE CITY ATTORNEY AND THE COMMITTEE ON GENERAL SERVICES

C. Notice from the Department of Natural Resources of a Permit for Sewerage System Construction issued to the City of Lansing for the West Side Interceptor Phase I—Manhole Repair

REFERRED TO THE MAYOR

D. Letter from Lee E. Shunk Sr., and Lee E. Shunk Jr. requesting that the position of City Attorney be made an Elected Office

REFERRED TO THE MAYOR

E. Letter from the Michigan Department of Transportation submitting Contract #93-0030 for Reconstruction of Highway M-43 [E. Bound Saginaw from Stanley to Washington (approx.)]

REFERRED TO THE MAYOR

MAYOR'S COMMENTS

Mayor Crawford reviewed his letters on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

on licenses and bonds:

1. **RESOLUTION #53** February 1, 1993
President Canady and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: James Keith Aimery

Sincerely,
Marilynn M. Slade, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of January 25, 1993 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the City Attorney re:

1. **RESOLUTION #54** January 28, 1993
To Council President Mark Canady and the Members of the Committee of the Whole
10th Floor, City Hall
Lansing, MI 48933

Re: Recommendation for Settlement of Property Tax Appeal, Docket No. 141877

Dear Members:

The above matter arises out of an appeal of a property tax assessment levied by the City. The tax years on appeal are 1990, 1991 and 1992.

After receiving the appeal, the City hired an outside appraiser to establish the fair market value of the subject property. The parties to the appeal then engaged in settlement discussions and a tentative agreement was reached. The proposed agreement provides simply that the propety owner will accept the City appraisers determination of fair market values.

Both this office, the Mayor, the Ways and Means Committee and the office of the City Assessor recommend that the foregoing agreement receive approval. Accordingly, this is to request such approval together with authority for this office to effectuate the agreement.

Please review this proposal and advise accordingly. As always, if there are any questions, please call me.

Very truly yours,
Alvan P. Knot, City Attorney

By Councilmember Benavides

To accept the recommendations of the City Attorney

Carried unanimously

2. **RESOLUTION #55** January 28, 1993
To Council President Mark Canady and Members of the Committee of the Whole
10th Floor, City Hall
Lansing, MI 48933

Re: Recommendation to Settle Appeal to Michigan Tax Tribunal; Docket No. 168860

Dear Members:

The above matter involves an appeal of property tax assessments on three (3) parcels of land for tax years 1991 and 1992. Upon reviewing this appeal, it was discovered that the subject parcels are environmentally contaminated. This was confirmed by an environmental consultant firm.

Accordingly, a proposed settlement was agreed upon which would place a nominal assessment of $50.00 on the properties.

No interest would be refunded under this settlement and no transfer of funds is required.

This office, the Assessor's Office, the Mayor and the Ways and Means Committee have reviewed the proposed settlement and recommend its approval. Therefore, it is requested that the proposed settlement receive such approval and that this office be empowered to effectuate the same.

Please review this recommendation at your convenience and advise as to whether you concur. As always, if you have any questions or require additional clarification, please feel free to contact me. Thank You.

Very truly yours,
Alvan P. Knot, City Attorney
By Councilmember Belen

To excuse President Canady from the vote on this item

Carried unanimously

By Councilmember Benavides

To accept the recommendations of the City Attorney

Carried unanimously, Council President Canady abstaining

3. **RESOLUTION #56** January 28, 1993
To Council President Mark Canady and the Members of the Committee of the Whole
10th Floor, City Hall
Lansing, MI 48933

Re: City of Lansing Lawsuit Ingham County Circuit Court No. 91-68935-NO

Dear Members:

The above matter involves a lawsuit filed by Plaintiffs against the City of Lansing (City). Plaintiffs maintain that they attended a softball tournament that was being held in Ranney Parks. Upon their arrival they chose to sit in the top row of the park bleachers. They watched the tournament for a relatively short period of time and then elected to leave. Upon leaving, it is alleged that Plaintiff Alex Walton, who was two and one-half (2½) years of age at the

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

time, attempted to step down upon the bleacher floor boards. In so doing, he fell through the space between his seat and the floor boards and landed upon the bleacher ramp below.

On January 7, 1993 the case was presented to a panel of mediators whose function was to gage the amount of monetary exposure of the City by virtue of its alleged liability and the damages/injuries sustained. Subsequent to oral argument, the mediation panel awarded Plaintiffs $30,000, which would settle the lawsuit if both Plaintiffs and the City accepted this figure as binding.

The foregoing facts were presented to the Director of Parks and Recreation who recommends that the award be rejected. Both this office, the Mayor, and the Ways and Means Committee concur. This is to request City Council's recommendation as to whether the mediation award should be accepted or rejected.

As always, if you have any questions concerning this matter, please contact me.

Thank you.

Very truly yours,
Alvan P. Knot, City Attorney

By Councilmember Benavides

To accept the recommendations of the City Attorney

Carried unanimously

D. Letter from John Mertz, Board of Ethics Chair, requesting Council approval of their request for retention of special counsel

REFERRED TO THE COMMITTEE OF THE WHOLE

E. Letters from the Mayor re:

1/ **RESOLUTION #57** January 28, 1993
Council President Mark Canady and City Councilmembers
10th Floor, City Hall
Lansing, MI 48933

Dear Council President and City Councilmembers:

I herewith submit for your consideration the reappointment of William E. Barkyoumb to the Police and Fire Retirement Board. This term will expire December 31, 1997.

Your confirmation of this appointment will be appreciated.

Sincerely,
James A. Crawford, Mayor

BY Councilmember Benavides

To accept the recommendations of the Mayor

Carried unanimously

2/ Acceptance of Federal Grant Funds in the Amount of $42,543 for a D.A.R.E. Education Officer

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

3/ Resolution Authorizing the Execution of Amendment #30 to the Annual Contributions Contract (S. Washington Apartments)

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

4/ ADA Self Evaluation of Programs and Services

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

5/ Resolution for Act-1592, 517 Jason Court

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

COMMITTEE REPORTS

There were no Committee Reports

RESOLUTIONS

RESOLUTION #58
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Frank Shannon Curtis X filed a claim against the City for unstated damages allegedly sustained from his March 23, 1992, arrest at the City Council meeting; and

WHEREAS, the City Attorney's staff presented a report and recommendation that the claim be denied; and

WHEREAS, the claim and the staff recommendation were reviewed by the Committee on General Services; and

WHEREAS, the claimant appeared before the Committee, furnishing testimony in support of his claim, alleging false arrest and imprisonment; and

WHEREAS, the Committee found that the claimant was lawfully arrested and detained, and that the claimant's assertion that his First Amendment rights transcend the Council's right to conduct its meetings in an orderly fashion is without merit; and

WHEREAS, the Committee recommends that the claim be denied;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to deny the claim of Frank Shannon Curtis X; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

February 1, 1993

By Councilmember Ford

Carried unanimously

RESOLUTION #59
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, after several rounds of negotiation among participating governmental units, the Mayor has recommended that the Council approve proposed changes to the by-laws for Tri-County Regional Planning Commission and the Capital Area Regional Transportation Study (CARTS) Technical Committee; and

WHEREAS, these changes reflect the addition of a representative from the Capital Area Transportation Authority (CATA) as one of the City of Lansing's five voting delegates, with CATA responsible for a pro rata share of annual dues for its representative; and

WHEREAS, the net impact of these changes will be a small decrease in the City's annual contribution to TCRPC, rather than a substantial increase as was contained in previous proposals to amend the by laws; and

WHEREAS, the Committee on Physical Development concurs with the Mayor in recommending that the changes be approved;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

hereby approves the proposed changes to the by-laws for the Tri-County Regional Planning Commission and the Capital Area Regional Transportation Study Technical Committee, as recommended by the Mayor in a communication received November 16, 1992, and endorsed by the Committee on Physical Development.

By Councilmember Belen

To excuse Councilmember Lilly and Councilmember Ford from the vote on this item

Carried unanimously

By Councilmember Belen

To place an affirmative roll on the resolution

Carred unanimously, Councilmembers Lilly and Ford abstaining

RESOLUTION #60
BY THE COMMITTEE ON PUBLIC SERVICES
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 1030 E. Kalamazoo, legally described as:

3301 15 376 301
E 33 ft. Lot 11, Block 2, Lansing Improvement Company's Add

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on June 25, 1992, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on January 25, 1993, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within sixty (60) days from the date of this resolution, February 1, 1993; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

BY Councilmember Brockwell

Carried unanimously

Resolution XII D., By the Committee on Ways and Means, Regarding the Combined Sewer Overflow Project, Storm Water Runoff Sewer Costs was tabled by motion of Councilmember Ford for one week

RESOLUTION #61
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, provisions of the Clean Water Act of 1987 will require the City to incur significant new costs for regulation and management of storm water, and

WHEREAS, the City is proceeding with the initial stages of a 30 year program to separate combined storm and sanitary sewers which is estimated to cost $176 million, and

WHEREAS, the sanitary sewer portion of sewer separation costs is to

be paid through the City's Sewer Fund, while the storm sewer portion would currently be financed from debt service property tax millage, and

WHEREAS, the Public Service Department has proposed that, in lieu of using property taxes to fund storm sewer costs, a more appropriate financing mechanism would be to charge each property in the City in a uniform and equitable manner based on class of property and storm water runoff generated by that class of property, and

WHEREAS, the Mayor has concurred that the City should continue to explore such a fee based financing mechanism for storm sewer costs, and

WHEREAS, the development of data on parcel size, nature of development, and permeability necessary to determine the feasibility and fee structure for funding storm sewer costs, in this manner, is not within the expertise of City staff, requiring the use of contractual services.

NOW, THEREFORE BE IT RESOLVED: that the City Council concurs with the recommendation of the Public Service Department that $250,000 in previously appropriated Capital Projects funding be utilized for contractual services to develop the necessary information for consideration of a user fee based structure for financing storm water related costs, and

BE IT FURTHER RESOLVED, that should the City determine to proceed with a fee based enterprise fund for storm water costs, that the above funding be reimbursed to the General Fund from this source.

By Councilmember Ford

To table this item for one week

Motion to table the Resolution adopted by the following vote:

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

NAYS: None

RESOLUTION #62
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, work is proceeding on amendments to the Recycling Ordinance as it affects multi-family dwellings; and

WHEREAS, by Resolution #612 adopted November 16, 1992, this Council established a 60-day moratorium on enforcement of the current provisions of the ordinance; and

WHEREAS, this time period has expired before the ordinance amendments could be adopted;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby extends until March 1, 1993, the moratorium on enforcement of those provisions of City Code Chapter 1063 that pertain to multi-family dwellings containing five units or more.

February 1, 1993

By Councilmember Brockwell

Carried unanimously

RESOLUTION #63
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the interim chairperson of the new City Market Board of Directors has requested legal assistance from the City to prepare and file articles of incorporation and application for tax-exempt status; and

WHEREAS, the City Attorney has indicated that his department can perform these services;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby directs the City Attorney to arrange for Law Department staff to render legal services to the City Market Board of Directors; and

BE IT FURTHER RESOLVED that such services regarding filing of articles of incorporation and application for tax-exempt status be completed as expeditiously as possible.

February 1, 1993

By Councilmember Ford

Carried unanimously

RESOLUTION #64
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT 2/1/93

WHEREAS, Sparrow Hospital has submitted a Master Facilities Concept Plan to the Planning Board and staff; and

WHEREAS, this concept plan has many components including but not limited to physical expansion on both sides of Michigan Ave., rezonings for the purpose of constructing buildings and/or parking and an overhead pedestrian bridge over Michigan Avenue to link the developments and functions on either side of Michigan Avenue; and

WHEREAS, the Planning Division staff have developed a "Four Point Plan" to provide a framework for evaluating the entire concept as well as the component parts. The Four Points are as follows:

1. Documentation must be submitted to the City of Lansing in the form of a qualified professional engineering report, that the below grade tunnel option is not a reasonable alternative in terms of cost and/or construction feasibility.

2. The City shall prepare and adopt a policy prohibiting or severely restricting significant encroachments within the Capitol Center District or public rights-of way which represent major visual approaches to the State Capitol. This proposed policy shall include air rights as well as ground encroachments.

3. After the preceding conditions have been fulfilled, and prior to the issuance of any construction permits for the pedestrian bridge, the Mayor and City Council shall establish a Design Review Committee consisting of design professionals representing the City of Lansing, State of Michigan, Eastside area and Sparrow Hospital. The mission of the Committee will be to review, evaluate, and recommend a specific design for the pedestrian bridge which is aesthetically pleasing and minimizes the intrusion into the public right-of-way. All expenses of Committee (including salaries for the design professionals) shall be reimbursed by Sparrow Hospital.

4. Recognizing that East Michigan Avenue represents the most significant visual approach to the State Capitol, and recognizing that if the proposed pedestrian bridge is approved and constructed it will negatively change public enjoyment of this view, then the general public should benefit in some other manner from the proposal. It is recommended that Sparrow Hospital fund a "revitalization study" for the East Michigan Avenue Corridor which will focus on establishing an agenda for public and private sector improvements. The following elements shall be addressed: design improvements such as landscaping, lighting, signage, street furniture, pedestrian movement, and building facade restoration, as well as parking and traffic circulation issues. The consultant for the study shall be selected by the City of Lansing and work with the Planning Board, the Eastside Neighborhood Organization, and the Eastside Commercial Club. The objective of the study will be to establish specific design policies which can be practically implemented by the City of Lansing and private property owners within this critical corridor; and

WHEREAS, the Planning Board, at their meeting on October 20, 1992, met and recommended adoption of the Four Point Plan. It was further recommended that the strategy be forwarded to City Council for its review and acceptance prior to final planning project reports on the pedestrian overpass being generated; and

WHEREAS, the Physical Development Committee of Council has reviewed the above Four Point Plan and accepts this as the strategy for addressing the type of pedestrian linkage in the overall concept plan of Sparrow Hospital.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council adopt the Four Point Plan and refer the matter to the Planning Board for evaluation of the various proposals.

By Councilmember Belen

To excuse Council President Canady from voting on this item

Carried unanimously

By Councilmember Belen

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

To place an affirmative roll on the Resolution

Carried unanimously, Council President Canady abstaining

RESOLUTION #65
BY COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS, the Pere Marquette Group has indicated their interest to acquiring the remaining land north of their parking lot on the east side of Pere Marquette Drive, to East Shiawassee Street, and

WHEREAS, the Pere Marquette Group desires to develop this land with small commercial uses consistent with the Cedar/Larch District Area Master Plan Amendment; and

WHEREAS, the Mayor has recommended that the City assist in the continued development of this area by selling this property to the Pere Marquette Group;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lansing authorizes the City Administration to sell property described as:

Those parts of vacated East Street and Lots 39 and 41 in Assessor's Plat No. 36 of Block 243, Original Plat, City of Lansing, Ingham County, Michigan, commencing at the intersection of the East line of Section 16 T4N, R2W, (a.k.a. East line of East Street) and the South line of Shiawassee Street, thence South along the Section line 631.02 feet, thence North 89 Degrees 58 minutes West 112.27 feet to the East line of Pere Marquette Drive, thence along the right-of-way of said drive the following 3 courses, North 00 Degrees 01 minute West 265.13 feet, North 06 Degrees 23 minutes West 151.5 feet, North 00 Degrees 02 minutes East 216 feet to the South line said Shiawassee Street, thence Easterly 129.44 feet to the place of beginning; excepting the South 180 feet thereof;

to the Pere Marquette Group at a cost which will recapture the funds invested in the purchase of the land by the Community Development Program.

By Councilmember Brockwell

To table the Resolution for two weeks

Carried unanimosuly

January 18, 1993

By Councilmember Belen

To remove this item from the table for consideration

Carried unanimously

By Councilmember Belen

To place an affirmative roll on the Resolution

Carried unanimously

February 1, 1993

RESOLUTION #66
WHEREAS, in Resolution #495 of 1988, the City Council authorized the acquisition and clearing of the Conrail and C & O Railroad properties between Shiawassee and Michigan Avenue in Block 243, of the Original Plat, City of Lansing, Ingham County, Michigan, for the purposes of constructing a public street (Pere Marquette Drive); and

WHEREAS, the City Council is aware of the desire of several businesses abutting this new street to purchase excess property for the expansion of their business and/or to solve problems created because of the development of this street; and

WHEREAS, Clara's Inc. is one of the businesses desiring to purchase excess City land, West and North of their property that they have been using as part of their parking area; and

WHEREAS, the sale of this property to Clara's Inc., will promote the most desirable and efficient assemblage of land.

NOW THEREFORE BE IT RESOLVED, that the City of Lansing does hereby authorize the administration to sell the property described in Attachment A, to Clara's Inc., for $10,800.00.

BE IT FURTHER RESOLVED that the administration prepares and sign the appropriate transfer documents, with the purchaser paying all closing cost.

By Councilmember Brockwell

To table the Resolution for two weeks

Carried unanimously

January 18, 1993

By Councilmember Belen

To remove this item from the table for consideration

Carried unanimously

By Councilmember Belen

To place an affirmative roll on the Resolution

Carried unanimously

February 1, 1993

RESOLUTION #67
BY COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS, the Pere Marquette Group has developed property at 119 Pere Marquette Drive, based on the availability of leased land from the city to provide parking to meet the City's Zoning Code; and

WHEREAS, the Pere Marquette Group wishes to own this leased parking lot that they have developed in order to have control over the parking for the tenants in their building; and

WHEREAS, the City Administration recognizes the commitment that has been made by the Pere Marquette Group to the area and concurs in their request to own the parking lot; and

WHEREAS, this land was purchased with Community Development funds and it is proposed to be sold for the amount of the Community Development monies invested in the land;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lansing authorizes the City Administration to sell property described as:

A parcel of land on East Street and Block 243, original Plat, City of Lansing, Ingham County, Michigan; commencing 650.34 feet North of the East : corner Section 16, T4N, R2W, on the East line of East Street right-of-way to the point of beginning; thence North on the East line of the East Street right-of-way 180 feet; thence North 89°55'05" West 114 feet to the East line of the Pere Marquette Street right-of-way; thence South 180 feet more or less along the East line of the Pere Marquette right-of-way to a point North 89°55'05" West of the point of beginning; thence South 89°55'05" East 112.27 feet to the point of beginning;

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

to the Pere Marquette group at a cost which will recapture the funds invested in the purchase of the land by the community Development Program.

By Councilmember Brockwell

To table the Resolution for two weeks

Carried unanimously

January 18, 1993

By Councilmember Belen

To remove this item from the table for consideration

Carried unanimously

By Councilmember Belen

To place an affirmative roll on the Resolution

Carried unanimously

February 1, 1993

RESOLUTION #68

WHEREAS, the Cedar/Larch District Area Master Plan Amendment recommended a disposition plan for surplus city property remaining after construction of Pere Marquette Street; and

WHEREAS, the Master Plan recommended the land sale being authorized by this resolution; and

WHEREAS, the City Administration has recommended that this land sale proceed; and

WHEREAS, the land was purchased with Community Development funds and it is proposed to be sold for the amount of the Community Development monies invested in the land;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lansing authorizes the City Administration to sell property described as:

Those parts of Lots 5, 40 and 41 in Assessor's Plat No. 36 of Block 243, Original Plat, City of Lansing, Ingham County, Michigan, commencing at a point on the West line Lot 40 309.15 feet South of the Northwest corner thereof, thence South 45 degrees 24 minutes 05 seconds West 42.39 feet to the North line of the South 98.1 feet, of Lot 5, thence West 70.89 feet to the East line of the West 110 feet of Lot 5, thence South 98.1 feet, thence East 100.87 feet to the line common to Lots 5 and 41, thence North 35.26 feet, thence South 89 degrees 24 minutes 14 seconds East to the West line of Pere Marquette Drive right-of-way, thence N 22 degrees 52 minutes 13 seconds East 40.71 feet, thence North 09 degrees West 57 feet more or less to a point due East of the point of beginning, thence West 78 feet more or less to beginning;

to Marion McNamara, Thomas J. and Theresa K. McNamara, III at a cost which will recapture the funds invested in the purchase of the land by the Community Development Program.

By Councilmember Brockwell

To table the Resolution for two weeks

Carried unanimously

January 18, 1993

By Councilmember Belen

To remove this item from the table for consideration

Carried unanimously

By Councilmember Belen

To place an affirmative roll on the Resolution

Carried unanimously

February 1, 1993

ORDINANCES FOR INTRODUCTION

ADDING A NEW CHAPTER, CHAPTER 890
INCREASING THE MEMBERSHIP OF THE BOARD OF REVIEW

By Councilmember Benavides

That the following ordinance of the City of Lansing, Michigan providing that the Code of Ordinances be amended by

Adding a New Chapter, Chapter 890 Sections 890.01, 890.02, and 890.03, for the purpose of Increasing the Membership of the Board of Review, Which is Created under the 1978 Lansing City Charter to Six (6) Persons

Was introduced by Councilmember Benavides read a first and second time by its' title and referred to the Committee on Public Safety

RESOLUTION #69

RESOLUTION SETTING PUBLIC HEARING

By Councilmember Benavides

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, February 8, 1993 at 7:00 P.M. in the City Council Chambers on the 10th Floor of Lansing City Hall located at 124 W. Michigan Avenue for the purpose of considering an Ordinance to Add a New Chapter, Chapter 890 Sections 890.01, 890.02, and 890.03, to the Code of Ordinances of the City of Lansing for the purpose of Increasing the Membership of the Board of Review, Which is Created under the 1978 Lansing City Charter to Six (6) Persons

Interested persons are invited to attend this public hearing

Carried unanimously

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Brockwell a letter from LaVon S. Martemucci of 934 Seymour St. if opposition to SLU-11-92, SLU-12-92, And SLU-13-92, or, any act that results in the demolition of residential structures in this area

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

2/ From Councilmember Brockwell a letter from Attorney's on behalf of Mrs. Charlotte Bower of 1035 N. Capitol Ave. regarding her opposition to SLU-11-92, SLU-12-92, And SLU-13-92

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

3/ From Councilmember Belen a Report of the Physical Development Committee regarding Sparrow Hospital's Master Facilities Concept Plan, and a motion that Council President Canady be excused from action on this item. Motion to excuse

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Council President Canady was adopted by an 8-0 margin.

HANDLED AS RESOLUTION #064

4/ From Councilmember Schmidt a report from the Traffic Engineer regarding a hazardous situation on E. Holmes Rd.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

TABLED ITEMS

MAYOR'S COMMENTS

Mayor Crawford reported the addition of 2 new Community Policing Officers, one in the River Point area and one in the North end Cleveland St. area.

COUNCILMEMBER'S COMMENTS

Councilmember Beal submitted a letter for next week's agenda. She discussed the statement made by a Public Service Department employee last week that the City leaves the blades of their snow plows 4-5 inches off the street. This is not acceptable to her. It does not result in adequate plowing, it results in additional salt being used. Salt is one of the major pollutants of the Grand River. She objected to the statements during the Public Hearing for Emanuel First Lutheran Church to the effect that this is a very bad drug infested neighborhood. The decision on this issue must be based on the merits of the situation. It is important that they study it carefully and take their time with it. She asked Mr. Clegg, Interim Director of the Public Service Department, for his response to the statement made by one of his employees last week.

Bob Clegg, Interim Director of the Public Service Department denied that the Public Service Department has a policy of keeping the blades of their snow plows any particular distance from the street level. He considers this employee to have been expressing his frustration and concern over the long hours they had to work to deal with the levels of service needed during the winter storms the prior week. The most inexpensive effective way of dealing with a snowfall of 2 inches or less is with salt. Plowing is used only when the City experiences 4 inches of accumulation. Major trunk lines are plowed after 2 inches. When the melting and re-freezing occurred the following day they had no crews to deal with it. Their crews were either out on other assignments, or, at home getting some much needed rest. Therefore, no crews were available to do further plowing. When the temperature drops down below 20% the salt will no longer work. They got their crews reassigned and the streets cleared as soon as possible, and he feels that this operation was handled just as efficiently as in the past.

Councilmember Ford apologized for being late. He had a presentation at Michigan State University. He has spoken to some of the neighbors around Emanuel First Lutheran Church and he will be watching this as it goes through the process. General Services will meet this Wednesday. The issue they will be taking up is Council Rule #19. There are a lot of questions about this rule, and if anyone has input they are welcome to attend. He intends to schedule an evening meeting sometime soon to accommodate people who cannot make a daytime meeting. He suggested that this meeting be televised, and that they use a call in number so that people could call their comments in. He asked Mayor Crawford and the City Attorney to look into a situation with property at the corner of Grand River and North Logan. The owner had proposed an adult entertainment use for his property at one time. Now he has pulled licenses to sell adult books. He asked for a report on this as soon as possible.

Councilmember Benavides said he received 6 phone calls this weekend about the icy streets in the Colonial Village and Lewton School areas. He reported the conditions to the Public Service Department and trucks went out later Saturday to clear up the problem. His constituents were very appreciative of this effort. Everyone has asked if the problem with Public Service getting the streets clear is because of the early retirement. The public thinks we are not able to take care of the streets the way we usually do because we have less drivers. Mr. Clegg reported the loss of only two drivers who stepped up into supervisory positions.

Councilmember Schmidt asked if there were trucks out today? There are still big clumps of ice on many of the side streets. How will they get rid of these? Mr. Clegg answered that they apply a chemical that loosens the clump from the pavement and melts it. Councilmember Schmidt announced that the Public Safety Committee will not meet on the Frandorson issue on February 11, 1993. They have sent letters out to interested parties informing them of the meeting date.

Councilmember Brockwell said that salting versus plowing of streets in the U.P. and in Lansing is very different. The weather is colder in the U.P., they get more snow, and have less traffic. In Lansing it is more viable to use salt.

CITIZENS MAY COMMENT

Del Maynard of 2017 Culver said he thought the Public Service Department did a great job of snow removal. This was a tough snow to deal with because of the ice. The snow plow blade rides about an inch off of the road because of the cracks in the pavement. He commented on an article in the State Journal in which Mayor McKane claimed that the city has gotten rid of the prostitutes and the porn peddlers. This is not true. He is concerned that the Mayor and the City Council engaged in a vendetta against the owners of two shops, destroyed good businesses, put people out of work, and turned this area into a parking lot. He suggested that the city remove the ropes from this area and see how many people will park there before going to the expense of developing a parking lot.

William Bernstein of 420 Baker said no one ever apologized to him for his arrest in Council Chambers.

Mark Eggleston of 4001 Heathgate spoke to the audience about suppression of the rights of non-resident tax payers who pay 1/2% in City Income Tax. They repressed and harassed Mr. Davis last week. The questioning by Councilmember Beal along with the laughter and booing by the members of the audience last week sent a message to the non-resident "pay your taxes and shut up, your input is not welcome." The audience should give everyone the right to speak freely whether they like what is being said or not.

Miriam Alfredson of 126 Francis St. said she misses the Civic Center. The Lansing Center looks like a pole barn and there has been no resolution of the problems in this district. She is against the early retirement of politicians. Obligation of government officials does not end at the ballot box.

Cathy Ryan, no address given, asked to have the Sparrow Hospital

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

request sent back for cost analysis. Please send it back to the Planning Board.

Lloyd Teets of 116 E. Elm St. said Council Rule #19 should be completely re-written. He accused Councilmember Lilly of getting his job because of nepotism and said that Harold Leeman was the best candidate for the seat. He announced that he will be resigning his active membership status in the group CBL.

Harold Leeman of 529 N. Francis asked if Councilmember Lilly had money transferred into an expense account for his use and, if so, did it come from Mayor Crawford's account. He advised Mayor Crawford that he should get rid of Mr. Boyd's Thunderbird, put some chairs in the lobby and get the fountain running.

Douglas Fairbanks of 1107 Heavenly Way said the residential housing stock in the Emanuel First Lutheran Church area should be preserved.

ADJOURNED 11:30

MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, February 8, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
February 8, 1993

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Canady

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, and Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Benavides

CONSIDERATION OF LATE ITEMS

By Councilmember Ford

To accept the following under suspension of the rules:

1/ From Councilmember Ford a Resolution acknowledging Non-Profit status for the Children's Learning Care Center of the YMCA

2/ From Councilmember Benavides a request that the tabled resolution from last week, regarding the Combined Sewer Overflow Project, be removed from the table and considered for action at tonight's meeting

3/ From Councilmember Lilly a request for Special Land Use, SLU-01-93, 3202 S. Pennsylvania filed by Derwood Boyd

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. In consideration of an Ordinance to Add a New Chapter, Chapter 890, Sections 890.01, 890.02, 890.03 for the Purpose of Increasing the Membership of the Board of Review

There were no speakers for this Public Hearing

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

B. To consider Z-21-92, 5700 Aurelius Road, rezoning from "H" Light Industrial and "J" Parking Districts to "H" Light Industrial District

There were no speakers for this Public Hearing

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

C. To consider Z-9-91, 110 S. Clifford Avenue, rezoning from "C" Residential District to "J" Parking District

Lloyd Teets of 116 E. Elm St. asked if there is currently a house on this property. Councilmember Beal replied, "it has been torn down".

Jerry O'Neil of 615 Orchard, E. Lansing, owner of this property thanked City Council for addressing this issue again. He protested the way the Planning Board voted on his petition and requested that it be sent back to them so that another vote can be taken.

Harold Leeman of 529 N. Francis reminded Council that this property is located across the street from Rita Cook's property. Rita was an active, respected member of the Eastside Neighborhood Association. He asked Councilmember Beal if Mr. O'Neil took out a demolition permit prior to demolishing his building. Councilmember Beal answered "no". This was a well known case on the Eastside. The owner began the demolition before applying for the permit. He did not follow the correct procedure for demolition of buildings. The City, she said, needs to establish a firm procedure for this kind of demolition so that buyers do not buy property and carry on with their own plans irrespective of City code. She hopes this owner has learned from this and will not attempt this again. His actions are not acceptable to Council. Mr. Leeman suggested that a penalty be assessed against the owner.

Mr. O'Neil said there is a profound mistake here. He thought a permit was to be forthcoming when he began demolition of this structure. Gary Brydges from the Building Department had told him that he could begin the demolition and that his permit was being processed. He did not demolish this building illegally. He acted in observance with the Code of Ordinances of the City and he resents being accused of operating outside of the law. Councilmember Lilly said the Committee on Physical Development will take up this issue on Thursday, February 11, 1993 at their 3:00 meeting. His committee will make sure that this controversy has been cleared up before the rezoning is passed, and the issue of the permits will be made a matter of record.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

D. SLU-16-92, 224 W. North Street, to Establish a Residential Care Facility for Up to Ten Men

There were no speakers for this Public Hearing

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

PUBLIC COMMENT

Robert Aldridge of 3712 Wainwright spoke in support of the resolution approving the Drug Abuse Resistance Education (D.A.R.E.) Grant. This program is being taught all through the Lansing Schools by Officers of the Lansing Police Department. The study will show that this is the most effective substance abuse program in existence today. He invited everyone to visit one of the Schools to observe a D.A.R.E. Officer at work.

Lloyd Teets of 116 E. Elm St. upbraided Council for passing a resolution that should never have been passed. By resolution they sued one of their own Boards. Judge Stell would not have taken this issue up, however, the City hired outside lawyers to put this issue in front of her. President Canady's stance is that the legal representative of the Ethics Board is not entitled to be paid, but, he will pay the lawyers that Mr. Knot hired without permission of Council. This is costing the people of the City more and more by the

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

hour. He asked Councilmember Brockwell to admit that this resolution was a mistake. Councilmember Brockwell responded that Council did not sue this Board, they asked Judge Stell to determine if a conflict of interest existed. Mr. Teets replied that, if Councilmember Brockwell did not know what was going on with this, then he was a puppet to President Canady. How much money did they waste on this effort? Councilmember Canady answered that no papers were ever filed and no bill from special counsel for the city will be forthcoming for this.

Howard Jones of 426 W. Barnes accused Council of operating under a double standard. There was intent on their part to hire an outside attorney to put this issue before Judge Stell. The Ethics Board requested representation by an attorney on their behalf, which they need if they are to remain unencumbered by the intimidation of the City Council. Council should approve the Ethics Board request to retain Tom Downs to represent the best interest of citizens with respect to the Ethics Board.

Harold Leeman of 529 N. Francis asked Council to pay particular attention to the second paragraph of the resignation letter from Paul Nieratko from the Waterfront Development Board. He appears to have experienced a degree of frustration on this Board and they should find out about it. He asked Council to have Bob Clegg, Interim Director of the Public Service Department explain who the firm for the CSO study is, and if they employ any City Officials who retired. Mr. Clegg responded that Ray Severey works for this firm, but, he did not work for them at the time the contract was issued. He asked for information regarding the tax abatement for Lansing Sanitary Supply. He asked Councilmember Lilly what is going on with Jason Court? What is going on with the rescission of the resolution regarding the Ethics Board? Mr. Downs is a well respected member of the law community and President Canady has accused him of playing games. Council owes him an apology. He believes that Judge Stell will recommend that Mr. Downs receive payment for his legal representation to the Ethics Board. He is entitled to something. The quotes from President Canady are putting him in a negative light. President Canady replied that he stands by his statement. Mr. Downs acted without the authorization of the City Charter. He named members of the Board of Ethics as plaintiffs. He did not have the permission of at least three of the members of the Ethics Board to name them as plaintiffs.

Paget Maynard of 902 W. Shiawassee said the City Attorney hired outside counsel to defend the City without the backing of the Council. Who will they pay to sue who? If the City will pay fees for one set of outside attorneys, why not the other? Does Council just plunge into things blindly and then look back at what they have done? These outside attorneys had no idea that Council would rescind their resolution, did they wait to do any work on this, or has a lot of work been done?

Councilmember Beal asked if Mr. Downs could sue Council on this and if it were true that outside legal counsel pulled the tax records of John Mertz Chairman of the Ethics Board. Is it true that Outside Legal Counsel took depositions from Lloyd Teets, Gary Andrews, and Harold Leeman? She said that Mr. Mertz is not sitting in a judicial position. He is not determining a legal issue here, he is determining an ethical one. City Council as a body must understand all of the consequences of their actions. They had no business asking Judge Stell to rule on this matter. It makes them appear to be stonewalling someone. It is not the policy of the staff, or the City Attorney, to advise Council. She suggested that Council examine the policies of the City Attorney's Office prior to passing something like this in the future. They need legal advice prior to making decisions like these. They are not lawyers and cannot be experts on everything. She asked for a report of the hours spent by outside attorneys on this case.

Al Knot, City Attorney answered that he has no idea if legal counsel has investigated Mr. Mertz' tax records, he does believe that Teets, Andrews, and Leeman were deposed.

Councilmember Ford said he is happy to see this resolution rescinded. He did not vote for it in the first place, because it is not appropriate to ask a Judge to rule on an opinion. The City will continue to absorb more legal fees as this whole thing plays on. He is glad to see the rescission of this, because, now the Ethics Board can get on with the business of doing their job to determine if there was any conflict. He hopes the Board will have an answer soon on this issue.

Councilmember Lilly said that the original resolution does appear to sue the Ethics Board, but Council had no intent to sue their Board. They want to allow the Ethics Board to conduct the investigation that they were formed to perform in the first place. There will be additional questions to come up on this issue. It is necessary for Council to back off in some instances so that they can let the issue be settled.

Council President Canady explained that his concern stemmed from a communication from John Mertz saying that the City Attorney was in a conflict of interest. Mr. Mertz made a statement to that effect to the State Journal. He (Mertz) sits in a quasi judicial capacity on the Board of Ethics. His wife is an officer of the UAW. If Mr. Mertz were a judge, there is no way that he could sit on this case. Subsequently, Mr. Mertz changed his position and said that any member of the Board of Ethics can sit on that Board. If Mertz agrees that no one on this Board had a conflict and can sit on the Board, then they are in agreement. At no time did outside Counsel file anything with the Court that would require a response of pleadings. If the matter of payment for Mr. Downs goes before Judge Stell, she will tell him that he did not have permission to represent anyone.

Councilmember Benavides pointed out that from the beginning of the first transfer for outside legal counsel it was understood that the City Attorney's Office would be reporting to Council on the status of their work. This report should be coming soon and they will be able to see all this out in the open.

SPECIAL CEREMONIES

Councilmember Ford presented the following Resolution of Tribute to Pastor Arcelious Flanagan in accordance with City Council's observance of Black History Month. Reverend Flanagan thanked God, and he thanked Councilmember Ford for spearheading this Black History Tribute.

RESOLUTION #77
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the members of Pilgrim Rest Baptist Church recently honored their Pastor, Rev. Arcelious Eugene Flanagan, upon his

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

retirement; and

WHEREAS, Rev. Flanagan came to Lansing in 1950 and worked for the Oldsmobile Division of General Motors, then later worked for the State of Michigan at the School for the Blind; and

WHEREAS, he answered his call to the Ministry in 1968, being ordained in 1970 and serving for several years at Union Baptist Church; and

WHEREAS, Rev. Flanagan became an Associate Minister, then Acting Pastor in July 1978, then full-time Pastor of Pilgrim Rest Baptist Church one year later, and he has led his congregation through many growth and development milestones in the life of the Church; and

WHEREAS, Rev. Flanagan's leadership has been recognized many times over the years by elected officials and community organizations;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 8th day of February, 1993, hereby commends and congratulates REVEREND ARCELIOUS E. FLANAGAN, upon the occasion of his retirement as Pastor of Pilgrim Rest Baptist Church, for his many years of outstanding service to his congregation and to our community.

By Councilmember Ford

Carried unanimously

COMMUNICATIONS AND PETITIONS

By Councilmember Schmidt

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Canady

Carried unanimously

A. Notices received from the Department of Natural Resources:

-Regarding a Permit issued to the City of Lansing for the Pizza Hut Project at Logan and Holmes

-Regarding a Permit issued to the City of Lansing for the Jolly Road Sanitary Sewer Extension

REFERRED TO THE MAYOR

B. Letter received from Pat Wilson, General Manager of Continental Cablevision, extending an Invitation to a Special Briefing for Franchise Authorities

RECEIVED AND PLACED ON FILE

C. Memorandum received from Dianne Byrum regarding Local Property Tax Assessment Increases

RECEIVED AND PLACED ON FILE

D. Notice received from the Michigan Public Service Commission of a Hearing on Possible Rate Increase for Customers of Consumers Power Company on February 11, 1993

RECEIVED AND PLACED ON FILE

E. Letter received from Ford McKrill of Lansing regarding three men sitting in a City truck apparently not working on January 24th

REFERRED TO THE MAYOR

F. Letter from Richard Masseau of 309 W. Kilborn expressing Support for the Rezoning Request of Emanuel Lutheran Church and School

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PHYSICAL DEVELOPMENT

MAYOR MAY COMMENT

Mayor Crawford outlined his letters on tonight's agenda. Regarding the report from the Committee on Ways and Means about the Combined Sewer Overflow Project Storm Water Runoff System. This project is governed by Federal Fair Labor Standard's and monitored by the Human Relations Department, Mr. Clegg's staff, and the Mayor's Office. They will keep Council informed. Councilmember Ford thanked Mayor Crawford for his report and asked what kind of participation numbers they have on this program, and if he can get regular updates as the project goes on.

CITY OFFICER & BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. **RESOLUTION #70**
February 8, 1993

President Canady and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Stanley Walters, Shawn Patrick White, Richard Eugene Stead, Richard Arlen Hoyt
SIGN ERECTOR: Townsend Neon, Inc.

Sincerely,
Marilynn Slade, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of February 1, 1993 for Review

RECEIVED AND PLACED ON FILE

C. Interim Financial Statements for the Greater Lansing Convention/Exhibition Authority for Quarter Ending December 31, 1992

REFERRED TO THE MAYOR AND
THE COMMITTEE ON WAYS AND MEANS

D. **RESOLUTION #71**
February 1, 1993
TO: City Council President Mark Canady
City Council Vice-President Bob Brockwell
All City Councilmembers

FROM: Emerson B. Ohl, TIFA Secretary

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

RE: Lansing Center Renovation and Expansion

In order to complete the Lansing Center Renovation and Expansion on a timely basis (estimated completion date—June, 1994) it will be necessary to schedule construction crews during nightime hours. This will enable the Center to continue with current book events, causing as little disruption as possible to daily conventions and other groups.

It is anticipated that evening construction hours will be from 10 p.m. until 6:30 a.m. daily starting with the Structural Steel portion of the project on Michigan Avenue. This should begin within the next few weeks.

We request your support and approval of scheduling construction during these night hours in order for us to keep the approximate finish date accurate and prevent loss of booked events to the Lansing Center. We would welcome any questions you may have on this matter.

The TIFA Board and its Committee appreciate your understanding in this matter.

By Councilmember Benavides

To accept the recommendations of the TIFA Secretary and approve the schedule

Carried unanimously

E. Analysis of the Financial Position of the City Submitted by Internal Auditor

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

F. February 4, 1993
Vice President Robert L. Brockwell and Members, Lansing City Council
Mayor James A. Crawford
Clerk Mayilynn Slade
City Hall
Lansing, Michigan 48933

Dear Vice President Brockwell, Councilmembers, Mayor Crawford, and Clerk Slade:

Attached for your information is my list of 1993 appointments to intergovernmental boards and commissions.

Sincerely,
MARK H. CANADY, City Council President

1993 APPOINTMENTS TO INTERGOVERNMENTAL BOARDS

PRESIDENT—MARK H. CANADY
VICE PRESIDENT—ROBERT L. BROCKWELL

TRI-COUNTY EMPLOYMENT AND TRAINING
Lucile Belen, Rick Lilly, Tony Benavides

TRI-COUNTY AGING CONSORTIUM
Alfreda Schmidt, Bob Brockwell, Marilynn Slade

TRI-COUNTY REGIONAL PLANNING COMMISSION
Tony Benavides, Lucile Belen, Jack Gunther, CATA Rep.

CONVENTION/VISITORS BUREAU
Alfreda Schmidt, Lucile Belen (Alternate)

POLICE & FIRE RETIREMENT SYSTEM BOARD and
EMPLOYEES RETIREMENT SYSTEM BOARD
Tony Benavides

TRI-COUNTY METRO
GOVERNMENTAL BOARD OF DIRECTORS
Alfreda Schmidt, Charles Ford, Tony Benavides, Rick Lilly

COMMUNITY CORRECTIONS ADVISORY BOARD
Charles Ford

G. Letters from the Mayor re:

1. Resignation of Paul E. Nieratko from the Waterfront Development Board

RECEIVED AND PLACED ON FILE

2. Transfer of Funds (2)

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

3. Z-9-91, 110 S. Clifford

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

4. Z-17-92, 5139 Balzer Street/5200 S. Dr. Martin Luther King, Jr. Blvd./Logan Street

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

5. Z-22-92, 1100-1106 W. Ionia Street

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

6. Resolution Authorizing Sale of City Property Parcel Nine (ACT-28-82)

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

7. Resolution Authorizing the Sale of City Property Located on the West Side of Shepard

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

8. Adult Sports Fees—1993 Season

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

RESOLUTION #72
THE COMMITTEE ON WAYS AND MEANS, to whon was referred the concerns regarding Affirmative Action and Equal Employment Opportunity on the Combined Sewer Overflow Project,

REPORTS AS FOLLOWS: The Committee reviewed the above-referenced concerns with staff from the Public Service Department and the Human Relations Office. Staff informed the Committee that the language included in the CSO contracts is based on established Federal Guidelines and enforced by the Department of Natural Resources. It is important to note that established guidelines do not speak to individual crew composition, but to the Affirmative Action and Equal Employment Opportunity plans of the business or company as a whole and, resultingly, the composition of minorities in any individual crew will not necessarily reflect the minority composition of the entire firm.

As a final note, the Committee has requested, and anticipates receiving, a letter from the administration addressing these concerns in detail.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

February 8, 1993

RESOLUTION #73
THE COMMITTEE ON PUBLIC SAFETY, to whom was referred the recommended ordinance to amend Part 16, Chapter 1610, Section 1610.01, for the purpose of adopting the 1991 Uniform Fire Code and Code Standards,

REPORTS AS FOLLOWS: No one spoke at the public hearing conducted February 1, 1993. The Committee joins the Mayor and the Fire Chief in recommending that the ordinance be adopted.

BY COUNCILMEMBER SCHMIDT:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTIONS

RESOLUTION #74
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Housing Commission has requested Council authorization to amend the Annual Contributions Contract C-3007; and

WHEREAS, the Committee on Ways and Means reviewed the pertinent information and documents regarding the proposed improvements to Washington Park Apartments, with the director of the Lansing Housing Commission;

NOW, THEREFORE, BE IT RESOLVED amendment #30 to the Annual Contributions Contract C-3007 is hereby approved, the Housing Commission Director is directed to execute such amendment in quadruplicate, and the City Clerk is to provide the Housing Commission Director with a certified copy of this resolution.

February 8, 1993

By Councilmember Benavides

Carried unanimously

RESOLUTION #75
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Federal funds became available through the State Office of Criminal Justice for D.A.R.E. Education in the Spring of 1992;

WHEREAS, the City, as the grantee, submitted an application for D.A.R.E. Education grant funds for the Lansing Police Department; and

WHEREAS, recently, the City has been advised that a grant in the total amount of $42,543 has been approved; and

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves acceptance of Federal Grant Funds in the amount of $42,543 for a D.A.R.E. Education Officer.

By Councilmember Benavides

Carried Unanimously

February 8, 1993

RESOLUTION #76
BY ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, the Lansing City Council has established a Lansing Plant Rehabilitation District (IPR-1-79) on May 29, 1979 on property commonly known as: The Diamond Reo Property, and;

WHEREAS, Meelad A. and Janet E. Ellis on behalf of Lansing Sanitary Supply, Inc. have applied for an Industrial Facilities Exemption Certificate (IPR-3-92) on the construction of a new facility and the installation of new manufacturing equipment located within the established district on property at 1445 S. Washington Ave, Lansing, Michigan, more fully described on Attachment A; and

WHEREAS, a public hearing was held on January 11, 1993, on the Exemption Certificate application submitted by Meelad A. and Janet E. Ellis on behalf of Lansing Sanitary Supply, Inc., and all interested parties had an opportunity to be heard; and

WHEREAS, Lansing Sanitary Supply, Inc. has met all the requirements for said Exemption Certificate as required by Public Act 198 and by the policies of this Council; and

WHEREAS, this Council finds that the granting of the Exemption Certificate, considered together with the aggregate amount of Industrial Facilities Exemption Certificates currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing.

NOW, THEREFORE, BE IT RESOLVED, the Council of the City of Lansing approves the application from Meelad A. and Janet E. Ellis on behalf of Lansing Sanitary Supply, Inc. for an Industrial Facilities Exemption Certificate (IPR-3-92) to remain in effect for a period of twelve (12) years.

By Councilmember Belen

Carried unanimously

ATTACHMENT "A"

Commencing at East ¼ Corner, Section 21, T4N, R2W, City of Lansing, Ingham County, Michigan; thence S89 46'26"W, along the East-West ¼ line of said Section 21, 2,490.64 feet to the Easterly, Right-of-Way line of Washington Avenue; thence S0008'37"E, along said Easterly Right-of-Way line, 495.02 feet to the Point of Beginning of this description; thence N89 46'26"E, 265.00 feet; thence S00 08'37"E, 430.44 feet to the Northerly Right-of-Way line of Baker Street; thence S89 54'49"W, along said Baker Street Right-of-Way line, 265.00 feet to the Easterly Right-of-Way line of

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Washington Avenue; thence N00 08'37"W, along said Washington Avenue Right-of-Way line, 429.80 feet to the Point of Beginning. The above described land contains 2.617 acres.

RESOLUTION #78
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT Resolution #23, adopted by this Council on January 11, 1993, is hereby rescinded.

By Councilmember Brockwell

Adopted by the following Vote:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, and Schmidt

NAYS: None

ABSENT: None

RESOLUTION #79
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING:

WHEREAS, the Michigan Department of Natural Resources has mandated the implementation of the Combined Sewer Overflow Control Program; and

WHEREAS, the construction of the Harton Street Equalization Basin is required as part of the Combined Sewer Overflow Program; and

WHEREAS, acquisition of the property from the Charter Township of Lansing is necessary to accommodate the Harton Street Equalization Basin; and

WHEREAS, the City by its Board of Water and Light has property not needed for operations of the Board of Water and Light which can be transferred to the Charter Township of Lansing in exchange for the necessary Township property; and

WHEREAS, said exchange is agreeable to the Charter Township of Lansing; and

WHEREAS, the Board of Water and Light has passed a resolution declaring the property to be transferred to be surplus real property and authorizing said exchange subject to the retention of an easement for access to existing utilities and the protection of two wells on the property; provided the City Council approve said transfer as required by Charter; and

WHEREAS, the fair market values of the properties to be exchanged as provided herein are comparable and less than $50,000.00 per parcel;

NOW, THEREFORE, BE IT RESOLVED THAT the City of Lansing by its Board of Water and Light will transfer the following described surplus property to the Charter Township of Lansing:

A parcel of land in the South ½ of Section 14, T4N, R2W, City of Lansing, Ingham County, Michigan, particularly described as follows:

Beginning at the Southwest corner of Lot 289, "Urbandale No. 1", Charter Township of Lansing, thence Easterly along the South line of "Urbandale No. 1" to the West line of U.S. 127 a distance of 865 feet, more or less; thence Southwesterly along the West line of U.S. 127 104 feet, more or less, to the North line of "Urbandale No. 2" at a point 124.85 feet Easterly of the Northwest corner of Lot 553, "Urbandale No. 2", thence Westerly along the North line of "Urbandale No. 2" to the East line of Mifflin Street 841 feet, more or less; thence Northeasterly along the East line of Mifflin Street 100 feet, more or less, to the point of beginning, containing 2 acres of land, more or less, and subject to the rights of the public in Charles Street and Detroit Street, and subject to any and all easements and restrictions of record. This description is intended to describe the land South of "Urbandale No. 1", North of "Urbandale No. 2", West of U.S. 127, and East of Mifflin Street.

subject to the reservation and retention from said transfer of an easement for access for operation and maintenance of existing utilities and the protection of two wells on said property;

BE IT FURTHER RESOLVED that the transfer shall be conditioned upon and in consideration of a transfer to the City by the Charter Township of Lansing of marketable title to the property located South of Harton Street, East of Mifflin Street and North of the I-496 expressway which is determined by the Public Service Department to be needed by the City for its existing sanitary sewer pumping station, its proposed storm sewer pumping station, and the combined sewer overflow program including the construction of the proposed Harton Street equalization basin.

BE IT FINALLY RESOLVED that the Mayor, on behalf of the City of Lansing and the Board of Water and Light, by its General Manager, are respectively authorized to sign and execute all necessary documents to effectuate the aforestated exchange, subject to their prior approval as to form by the City Attorney.

By Councilmember Lilly

To accept a substitute Resolution for the resolution originally submitted, and to place an affirmative roll on the substitute resolution

Carried unanimously

Item XII D-2, ACT-15-91, 517 Jason Court was tabled by motion of Councilmember Lilly for one week, and returned to the Committee on Physical Development

RESOLUTION #80
BY COUNCILMEMBER FORD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Learning Care, Inc., Children's Learning Care Center has requested non-profit recognition; and

WHEREAS, the Learning Care, Inc., Children's Learning Care Center submitted the appropriate documents to the City Council and City Attorney to review;

WHEREAS, the City Attorney reviewed the information and determined it met the legal requirements for non-profit status;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby recognizes the Learning Care, Inc., Children's Learning Care Center as a non-profit charitable organization.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

February 8, 1992

By Councilmember Ford

Carried unanimously

RESOLUTION #81
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, provisions of the Clean Water Act of 1987 will require the City to incur significant new costs for regulation and management of storm water, and

WHEREAS, the City is proceeding with the initial stages of a 30 year program to separate combined storm and sanitary sewers which is estimated to cost $176 million, and

WHEREAS, the sanitary sewer portion of sewer separation costs is to be paid through the City's Sewer Fund, while the storm sewer portion would currently be financed from debt service property tax millage, and

WHEREAS, the Public Service Department has proposed that, in lieu of using property taxes to fund storm sewer costs, a more appropriate financing mechanism would be to charge each property in the City in a uniform and equitable manner based on class of property and storm water runoff generated by that class of property, and

WHEREAS, the Mayor has concurred that the City should continue to explore such a fee based financing mechanism for storm sewer costs, and

WHEREAS, the development of data on parcel size, nature of development, and permeability necessary to determine the feasibility and fee structure for funding storm sewer costs, in this manner, is not within the expertise of City staff, requiring the use of contractual services.

NOW, THEREFORE BE IT RESOLVED: that the City Council concurs with the recommendation of the Public Service Department that $250,000 in previously appropriated Capital Projects funding be utilized for contractual services to develop the necessary information for consideration of a user fee based structure for financing storm water related costs, and

BE IT FURTHER RESOLVED, that should the City determine to proceed with a fee based enterprise fund for storm water costs, that the above funding be reimbursed to the General Fund from this source.

By Councilmember Ford

To table this item for one week

Motion to table the Resolution adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

NAYS: None

February 1, 1993

By Councilmember Benavides

To remove this resolution from the table and to consider it for affirmative action at tonight's meeting

Carried unanimously

By Councilmember Benavides

To place an affirmative roll on the resolution

Carried unanimously

February 8, 1993

ORDINANCES FOR INTRODUCTION

AMENDING CHAPTER 1063
RECYCLABLE MATERIALS

By Councilmember Brockwell

That the following ordinance of the City of Lansing, Michigan providing that the Code of Ordinances be amended by

Amending Chapter 1063 to Provide for the On-Site Collection of Recyclable Materials by Owners of Multifamily Dwellings Containing Five Units or More; the Storing of Recyclable Materials in Containers Which, if Possible, are not Visible from the Street; and to Change the Expiration Date of Waste Hauler Licenses to April 30 of Each Year

Was introduced by Councilmember Brockwell read a first and second time by its' title and referred to the Committee on Public Services

RESOLUTION #82
RESOLUTION SETTING PUBLIC HEARING

By Councilmember Brockwell

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, February 22, 1993 at 7:00 P.M. in the City Council Chambers on the 10th Floor of Lansing City Hall located at 124 W. Michigan Avenue for the purpose of considering an Amendment to Chapter 1063 to Provide for the On-Site Collection of Recyclable Materials by Owners of Multifamily Dwellings Containing Five Units or More; the Storing of Recyclable Materials in Containers Which, if Possible, are not Visible from the Street; and to Change the Expiration Date of Waste Hauler Licenses to April 30 of Each Year

Interested persons are invited to attend this public hearing

Carried unanimously

ORDINANCES FOR PASSAGE

By Councilmember Schmidt:

That we proceed to the passage of Ordinances.

By Councilmember Schmidt:

That the Ordinance when read be considered as read in its entirety.

BY THE COMMITTEE ON PUBLIC SAFETY

By Councilmember Schmidt:

Resolved by the City Council of the City of Lansing that an Ordinance providing for an amendment to the Code of Ordinances, City of Lansing, Michigan, to amend Chapter 1610 of the Code of Ordinances of the City of Lansing, Michigan for the purpose of Adopting the Uniform Fire Code and Uniform Fire Code Standards, 1991 Editions, be placed on order of immediate passage.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

BY THE COMMITTEE ON PUBLIC SAFETY

By Councilmember Schmidt:

Resolved by the City Council of the City of Lansing that an Ordinance providing for an amendment to the Code of Ordinances, City of Lansing, Michigan, to amend Chapter 1610 of the Code of Ordinances of the City of Lansing, Michigan for the purpose of Adopting the Uniform Fire Code and Uniform Fire Code Standards, 1991 Editions, be now passed.

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, and Schmidt

NAYS: None

ABSENT: None

ORDINANCE #857

AN ORDINANCE TO AMEND CHAPTER 1610 OF THE CODE OF ORDINANCES OF THE CITY OF LANSING TO ADOPT THE UNIFORM FIRE CODE AND UNIFORM FIRE CODE STANDARDS, 1991 EDITIONS, PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION; ESTABLISHING A BUREAU OF FIRE PREVENTION AND PROVIDING OFFICERS THEREFOR AND DEFINING THEIR POWERS AND DUTIES; TO PROVIDE FOR CERTAIN DELETIONS, MODIFICATIONS, OR AMENDMENTS TO SAID UNIFORM FIRE CODE; TO ESTABLISH STORAGE LIMITS FOR CERTAIN COMBUSTIBLE PRODUCTS AND EXPLOSIVES; AND TO SPECIFY PENALTIES FOR VIOLATIONS OF SAID CHAPTER.

The City of Lansing ordains:

Section 1. That Section 1610.01 of the Code of Ordinances of the City of Lansing, Michigan, is hereby amended to be read as follows:

1610.01 ADOPTION OF 1991 EDITIONS; REFERENCES CONFLICT OF LAWS.

(A) THERE IS HEREBY ADOPTED BY THE CITY OF LANSING FOR THE PURPOSE OF PRESCRIBING REGULATIONS GOVERNING CONDITIONS HAZARDOUS TO LIFE AND PROPERTY FROM FIRE OR EXPLOSION, THAT CERTAIN CODE AND STANDARDS KNOWN AS THE UNIFORM FIRE CODE, INCLUDING APPENDICES I-C, III-C, V-A, VI-A, and VI-D, AND THE UNIFORM FIRE CODE STANDARDS PUBLISHED BY THE WESTERN FIRE CHIEFS ASSOCIATION AND THE INTERNATIONAL CONFERENCE OF BUILDING OFFICIALS, BEING PARTICULARLY THE 1991 EDITIONS THEREOF AND THE WHOLE THEREOF, SAVE AND EXCEPT SUCH PORTIONS AS ARE HEREINAFTER DELETED, MODIFIED OR AMENDED BY SECTION 2 OF THIS ORDINANCE, THREE (3) COPIES OF WHICH CODE AND STANDARDS HAVE BEEN AND ARE NOW FILED IN THE OFFICE OF THE CLERK OF THE CITY OF LANSING AND THE SAME ARE HEREBY ADOPTED AND INCORPORATED AS FULLY AS IF SET OUT AT LENGTH HEREIN, AND FROM THE DATE ON WHICH THIS ORDINANCE SHALL TAKE EFFECT, THE PROVISIONS THEREOF SHALL BE CONTROLLING WITHIN THE LIMITS OF THE CITY OF LANSING

B. References throughout these Codified Ordinances to the ***Uniform Fire Code*** and the ***Uniform Fire Code Standards*** shall be deemed to mean the ***Uniform Fire Code*** and the ***Uniform Fire Code Standards*** adopted in subsection (a) hereof and they may be so cited. References throughout these Codified Ordinances to the Fire Prevention Code of the City shall be deemed to mean all of Part Sixteen of these Codified Ordinances, including the technical codes and standards adopted therein by reference, and it may be so cited.

C. Unless otherwise expressly provided, in the event of a conflict between any of the provisions of the ***Uniform Fire Code*** and the ***Uniform Fire Code Standards,*** herein adopted, and a provision of this chapter, or any other provision of these Codified Ordinances, or any other local ordinance, resolution, rule or regulation, the local provision shall control. In the event of a conflict between any of the provisions of the ***Uniform Fire Code*** and the ***Uniform Fire Code Standards*** herein adopted, and State law, including rules and regulations promulgated pursuant to State law, the State law shall control. In the event of a conflict between any of the provisions of the ***Uniform Fire Code*** and the ***Uniform Fire Code Standards,*** herein adopted, and a provision of any other standard technical code adopted by reference by the City, the stricter or higher standard shall control.

Section 2. That Section 1610.02 of the Code of Ordinances of the City of Lansing, Michigan is hereby amended to read as follows:

1610.02 DELETIONS, MODIFICATIONS OR Amendments MADE IN THE UNIFORM FIRE CODE.

The ***Uniform Fire Code*** and the ***Uniform Fire Code Standards*** adopted by Section 1610.01, are hereby amended as follows:

(A) **U.F.C. Section 2.101. AUTHORITY for Enforcement** is hereby amended by AMENDING subsection (G), AND BY SUBSECTION (I), RESPECTIVELY, as follows:

(G) THE MAINTENANCE OF EXITS TO ENSURE PROPER AND SAFE EGRESS FROM ALL OCCUPANCIES WHETHER NEW OR EXISTING BUILDINGS.

(i) The investigation of false reports of fire or bombs.

(B) **U.F.C. Section 2.303. Board of Appeals** is hereby deleted and a new section added as follows:

Board of Appeals

SEC. 2.303. EXCEPT AS PROVIDED IN SECTION 10.210(I) OF ***THE UNIFORM FIRE CODE*** AS AMENDED HEREIN, the Board of Appeals for appeals made under the Fire Prevention Code of the City shall be the Building Board of Appeals established in Section 204 of the ***Uniform Building Code*** adopted in Section 1420.01 of the Codified Ordinances of the City and amended in Section 1420.02. THIS BOARD SHALL DETERMINE THE SUITABILITY OF ALTERNATE MATERIALS AND TYPE OF CONSTRUCTION AND PROVIDE REASONABLE INTERPRETATIONS OF THE PROVISIONS OF THIS CODE. THE BOARD SHALL RENDER ALL DECISIONS AND FINDINGS IN WRITING TO THE FIRE CHIEF, WITH A DUPLICATE COPY TO THE APPELLANT, AND MAY RECOMMEND TO THE EXECUTIVE BODY SUCH NEW LEGISLATGAGING IN THE FOLLOWING ACTIVITIES, OPERATIONS, PRACTICES OR FUNCTIONS:

1. **FIRE SUPPRESSION SYSTEMS.** TO DESIGN, INSTALL, MODIFY, TEST, SERVICE AND MAINTAIN ANY AND ALL FIRE SUPPRESSION SYSTEMS IN ACCORDANCE WITH ANY AND ALL CODES THAT APPLY TO THIS INSTALLATION.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

2. **FIRE ALARM SYSTEMS.** TO DESIGN, INSTALL, MODIFY, TEST, SERVICE AND MAINTAIN ANY AND ALL FIRE ALARM SYSTEMS IN ACCORDANCE WITH ANY AND ALL CODES THAT APPLY TO THIS INSTALLATION.

3. **OPEN BURNING.** TO IGNITE OR BURN MATERIAL OF ANY TYPE ON PRIVATE LAND OR PUBLICLY OWNED OR CONTROLLED LAND EXCEPT AS PROVIDED IN THIS CHAPTER.

4. **FIREWORKS.** TO CONDUCT A PUBLIC DISPLAY OR TO USE FOR AGRICULTURAL OR PEST CONTROL PURPOSES AS PERMITTED BY STATE LAW.

APPLICATION FOR PERMIT

SEC. 4.102. ALL APPLICATIONS FOR A PERMIT REQUIRED PURSUANT TO THIS CHAPTER SHALL BE MADE TO THE BUILDING SAFETY DIVISION IN SUCH FORM AND DETAIL AS IT SHALL PRESCRIBE, EXCEPT THAT APPLICATIONS FOR OPEN BURNING PERMITS, AND FOR THE ABOVE FIREWORKS PERMITS, SHALL BE MADE TO THE FIRE PREVENTION BUREAU. APPLICATIONS SHALL BE ACCOMPANIED BY SUCH PLANS AS REQUIRED BY THE CITY.

THE APPLICATION FOR A PERMIT REQUIRED PURSUANT TO THIS CHAPTER SHALL BE ACCOMPANIED BY THE APPROPRIATE FEE WHICH SHALL BE NONREFUNDABLE. FEES FOR PERMITS REQUIRED BY THIS CHAPTER SHALL BE SET BY RESOLUTION OF COUNCIL.

(D) **U.F.C. Section 9.112 Jurisdiction** is hereby deleted and a new section added as follows:

Whenever the word "jurisdiction" or "jurisdictional area" is used in the ***Uniform Fire Code*** it shall mean the City of Lansing.

(E) **U.F.C. ARTICLE 78. FIREWORKS AND PYROTECHNIC SPECIAL EFFECTS IS DELETED IN ITS ENTIRETY.**

(F) **U.F.C. SECTIONS** 10.103, 12.103, 24.102, 25.101, 26.102, 27.102, 28.102, 29.102, 30.101, 31.102, 32.103, 33.102, 34.102, 35.103, 36.102, 45.102, 46.102, 47.102, 48.102, 49.101(c), 50.103, 62.102, 63.103, 74.103, 75.104, 76.102, 79.103, 80.103, 82.102, 83.101, AND 88.103 ARE DELETED IN THEIR ENTIRETY.

(G) **U.F.C. Section 10.210. Fire Lanes** is hereby enacted to read as follows:

FIRE LANES

Sec. 10.210(a). **Purpose.** This section is to be interpreted as the standard of care necessary to protect both people and property within the City in case of a fire or similar emergency in any of those establishments herein defined through the use of controlled fire lanes.

(b) **Authority.** The Fire Marshal of the Fire Prevention Bureau shall be responsible for establishing fire lanes on both public and private property within the City. The following criteria shall be used in determining the necessity of fire lanes:

1. Fire lanes shall be established by the Fire Prevention Bureau as deemed necessary at the following locations. This list shall not be deemed to be exclusive, but shall be deemed to be a guide to the type of establishment where necessary:

a. Apartment complexes;
b. Auditoriums and all like places of public assembly;
c. Churches;
d. Hospitals, convalescent homes and nursing homes;
e. Hotels, motels and boarding houses;
f. Manufacturing sites;
g. Multiple private residential areas; and
h. Shopping centers.

2. The necessity of access into the above enumerated areas from public thoroughfares shall be considered when establishing fire lanes.

3. The necessity of traffic lanes that are free from parked vehicles, both to and around the above enumerated establishments, and that are capable of handling City fire vehicles, shall also be considered.

This determination shall be made whenever the Bureau deems that such lanes are necessary for the safety of occupants and property of such establishments or when, after being petitioned by a private land owner to have fire lanes established on his or her property, the Bureau declares fire lanes thereon in accordance with the above criteria. This section shall apply to all such existing facilities within the City. The Fire Marshal or designated representative shall notify the land owner of any such property whereon fire lanes are established, by mailing notice of the same to the address of the owner as identified in the records of the City Assessor.

(c) **Records.** The Fire Prevention Bureau shall keep an accurate up to date record of all fire lanes established within the City.

(d) **Signs.** All fire lanes shall be conspicuously posted with uniform fire lane signs prescribed by the Fire Marshal and erected not more than 100 feet apart in all areas designated as fire lanes. The erection and maintenance of such signs shall be the responsibility of the property owner. Any owner who, upon notification that a fire lane has been established on his or her property and within thirty days thereof, fails to erect uniform fire lane signs, shall be in violation of this section and subject to the penalty provided in Section 1610.99 of the Codified Ordinances of the City. Further, when such signs are not erected within 30 days of notification, Council may direct such signs to be erected and the cost thereof assessed against the property on the next general assessment roll of the City.

(e) **Permitted Parking.** The Fire Marshal may grant permission for parking of certain vehicles, objects or trailers in designated fire lanes for limited periods where such parking will not interfere with the use of the fire lane by emergency vehicles. Whenever such permission is granted, a record of the same shall be kept by the Fire Prevention Bureau. In conjunction with such permission, the Bureau shall furnish a sign to be posted conspicuously on the vehicle, object or trailer stating that permission to so park has been granted and stating the duration that it may remain so parked.

(f) **Guidelines for Fire Lanes at Construction Sites.** The Fire Marshal shall establish guidelines for use by the Building Safety Division in determining the need for fire lanes at all new construction sites and at sites where existing structures are being modified. These guidelines shall include minimum dimensions for such fire lanes so as to provide adequate maneuverability for City fire vehicles. The Fire Prevention Bureau shall make a final check of all plans for such building or alteration upon submission of the same by the Building Safety Division. The Fire Prevention Bureau shall either approve or reject such plans within 20 days of such submission and, if rejected, shall state the reasons for the same. After rejection, such plans may be resubmitted for approval after the necessary changes have been made.

(g) **Removal of Vehicles, etc., From Fire Lanes.** When any member of the Fire Department or the Police Department observes any vehicle, trailer or other object parked in a fire lane as herein established, and such vehicle, trailer or other object is not in such

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

fire lane under authority of subsection (e) hereof, he or she shall remove such vehicle, trailer or other object or cause the same to be removed at the expense of the owner. If any vehicle, trailer or other object is so located within a fire lane at a time the Fire Department is responding to an alarm which necessitates use of such fire lane, then any member of the Police Department or the Fire Department may move such vehicle, trailer or other object or cause the same to be moved by any means possible without liability for and damage being incurred by the City or any officer, agent or employee thereof.

(h) **Prohibited Parking; Citations.**

1. No person shall stop, stand or park a vehicle, except when necessary to avoid conflict with other traffic or in compliance with the directions of a law enforcement officer, fire fighter or traffic control device, within 15 feet of a fire hydrant.

2. No person shall stop, stand or park a vehicle, whether occupied or not, in an area designated as a fire lane, on public or private property, except when necessary to avoid conflict with other traffic or at the direction of a law enforcement officer, fire-fighter or traffic control device.

3. The Fire Marshal and other members of the Fire Prevention Bureau shall have the power and authority of a police officer to issue uniform traffic citations for a violation of any of the provisions of this section.

(i) **Appeals.** Notwithstanding the provisions of Section 2.302 of this Code, the following shall be the method of appeal from any decision of the Building Board of Appeals as it may pertain to this section:

If any land owner is aggrieved by any decision as to the establishment of fire lanes, he or she shall, within 30 days of the date of mailing of the fire lane establishment notice as provided for in subsection (b) hereof, or within 30 days of the denial of a petition to establish a fire lane, file with the Board of Appeals a written exception to such decision, together with his or her reasons for the same.

Within 10 days from the date of receipt of such exception by the Board of Appeals, it shall, after consideration of the reasons for the exception, affirm, modify or rescind its original decision. If the aggrieved party is still without satisfaction, he or she may file an appeal with Council through the office of the City Clerk. The City Clerk shall then place the appeal on the agenda for the next applicable Council meeting. Council shall rule on such appeal within a reasonable time, but not later than 30 days from the date the appeal was placed on the agenda. Subsequent to the determination by Council, the aggrieved party may file a petition with the appropriate court.

(H) **U.F.C. SECTION 11.202. INCINERATORS** IS DELETED AND A NEW SECTION 11.202 IS ADDED AS FOLLOWS:

INCINERATORS

SEC. 11.202. (A) GENERAL. FREE-STANDING NONCOMMERCIAL INCINERATORS NOT CONNECTED TO BUILDINGS ARE NOT PERMITTED. PERMITTED INCINERATORS SHALL BE IN ACCORDANCE WITH OTHER GOVERNING AGENCIES REQUIREMENTS REGULATING EMISSIONS. FOR OTHER REQUIREMENTS, SEE THE BUILDING AND MECHANICAL CODES.

(B) MAINTENANCE. INCINERATORS SHALL BE MAINTAINED IN GOOD CONDITION AT ALL TIMES.

(C) THE CHIEF IS AUTHORIZED TO REQUIRE INCINERATOR USE TO BE IMMEDIATELY DISCONTINUED IF THE CHIEF DETERMINES THAT SMOKE EMISSIONS ARE OFFENSIVE TO THE OCCUPANTS OF SURROUNDING PROPERTY OF IF THE USE OF THE INCINERATOR IS DETERMINED BY THE CHIEF TO CONSTITUTE A HAZARDOUS CONDITION.

(I) **U.F.C. SECTION 11.203. OPEN BURNING** IS DELETED AND A NEW SECTION 11.203 IS ADDED AS FOLLOWS:

OPENING BURNING

SEC. 11.203 (A) **PERMIT REQUIRED.** A PERMIT IS REQUIRED TO KINDLE OR MAINTAIN ANY OUTDOOR BURNING, INCLUDING BONFIRES AND RECREATION FIRES.

(B) **LOCATION RESTRICTED.** THERE SHALL BE NO OPEN BURNING OF ANY TYPE ON PUBLICLY OWNED OR CONTROLLED LAND, INCLUDING BRIDGES, STREETS, AND OTHER PUBLIC PLACES WHICH HAVE NOT BEEN SET ASIDE BY THE PUBLIC AUTHORITY FOR SUCH PURPOSE.

(C) **EXCEPTIONS:** (1) WHEN DETERMINED BY THE CHIEF TO BE IN THE PUBLIC INTEREST, THE CHIEF MAY ISSUE A PERMIT FOR CONTROLLED BURNING. (2) OUTDOOR COOKING. APPLIANCES, SUCH AS GAS AND CHARCOAL GRILLS MAY BE USED IN SUCH A MANNER SO THEY DO NOT ENDANGER THE LIFE OR PROPERTY OF OTHERS. NO PERSON SHALL USE ANY PERMANENT BARBECUE, PORTABLE BARBECUE, OUTDOOR FIREPLACE OR GRILL FOR THE DISPOSAL OF RUBBISH, TRASH OR COMBUSTIBLE MATERIAL. (3) RECREATION FIRES. RECREATION FIRES WHERE CHARCOAL IS THE FUEL, SHALL NOT REQUIRE A PERMIT.

(D) **ATTENDANCE OF OPEN FIRES.** BONFIRES AND OTHER OPEN BURNING SHALL BE CONSTANTLY ATTENDED BY A COMPETENT PERSON UNTIL SUCH FIRE IS EXTINGUISHED. THIS PERSON SHALL HAVE A GARDEN HOSE CONNECTED TO THE WATER SUPPLY, OR OTHER FIRE-EXTINGUISHING EQUIPMENT READILY AVAILABLE FOR USE. RECREATION FIRES SHALL BE IN ACCORD WITH THE PROVISIONS OF SECTION 11.204 OF THE UNIFORM FIRE CODE.

(E) **CHIEF MAY PROHIBIT.** THE CHIEF MAY PROHIBIT OR TERMINATE ANY OR ALL OUTDOOR BURNING WHEN ATMOSPHERIC CONDITIONS OR LOCAL CONDITIONS MAKE SUCH FIRES HAZARDOUS, OR THE CHIEF DETERMINES SUCH ACTION IS NECESSARY TO PROTECT PUBLIC SAFETY.

(F) **ILLEGAL BURNING; APPEARANCE TICKETS.** KINDLING OR MAINTAINING ANY OUTDOOR BURNING IN VIOLATION OF THIS SECTION, FAILING TO COMPLY WITH THE REQUIREMENTS OF THIS SECTION, FAILING TO COMPLY WITH AN ORDER OF THE CHIEF HEREUNDER, OR OTHERWISE WITH THE REQUIREMENTS HEREUNDER SHALL BE ILLEGAL. THE FIRE MARSHALL AND OTHER MEMBERS OF THE FIRE PREVENTION BUREAU ARE SPECIFICALLY AUTHORIZED TO ENFORCE THIS SECTION BY THE ISSUANCE OF APPEARANCE TICKETS IN ACCORDANCE WITH STATE LAW.

(J) **U.F.C. Section 12.115** is hereby enacted to read as follows:

INSPECTION TO DETERMINE ADEQUACY OF EXITS; PLANS FOR MORE THAN TWO-FAMILY DWELLING TO BE SUBMITTED.

Section 12.115(a). The Chief of the Fire Prevention Bureau or his or her authorized representative, and the Building Safety Director or his or her authorized representative, shall, together, make an inspection of a premises to determine the adequacy of exits and

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

exit stairs or fire escapes and fire safety of the building. Orders written concerning the exits, stairs, fire escapes or fire safety of the building after such an inspection shall be considered as mandatory and any person failing to comply therewith shall be subject to the penalties provided in Section 1610.99 of the Codified Ordinances of the City.

(b) The plans for any building hereafter constructed or remodeled in any way, which building is used or to be used for more than a two-family dwelling, including a factory, school, hotel, lodging house, asylum, hospital, church, apartment house, hall, theater, amphitheater or any other building in which persons do presently or will, upon completion of construction, work, live or congregate from time to time for any purpose, shall be submitted to and approved by an authorized representative of the Fire Prevention Bureau.

Section 3. That Section 1610.03 of the Code of Ordinances of the City of Lansing, Michigan is hereby amended to read as follows:

1610.03 ESTABLISHMENT OF STORAGE LIMITS.

(A) **STORAGE OF FLAMMABLE OR COMBUSTIBLE LIQUIDS.** THE LIMITS REFERRED TO IN SECTION 79.501 OF THE UNIFORM FIRE CODE IN WHICH THE STORAGE OF FLAMMABLE OR COMBUSTIBLE LIQUIDS IN ABOVE GROUND TANKS IS RESTRICTED ARE HEREBY ESTABLISHED AS FOLLOWS:

IN ACCORDANCE WITH CITY OF LANSING ZONING ORDINANCE PROVISIONS APPLICABLE TO PRINCIPAL, ACCESSORY OR OTHER USES, OR IN ACCORDANCE WITH OTHER PROVISIONS OF LAW OR REGULATIONS THAT ARE MORE RESTRICTIVE.

(B) **STORAGE OF LIQUIFIED PETROLEUM GASES.** THE LIMITS REFERRED TO IN SECTION 82.104(a) OF THE ***UNIFORM FIRE CODE*** IN WHICH STORAGE OF LIQUIFIED PETROLEUM GAS IS RESTRICTED, ARE HEREBY ESTABLISHED AS FOLLOWS:

IN ACCORDANCE WITH CITY OF LANSING ZONING ORDINANCE PROVISIONS APPLICABLE TO PRINCIPAL, ACCESSORY OR OTHER USES, OR IN ACCORDANCE WITH OTHER PROVISIONS OF LAW OR REGULATIONS THAT ARE MORE RESTRICTIVE.

(C) **STORAGE OF EXPLOSIVES AND BLASTING AGENTS.** THE LIMITS REFERRED TO IN SECTION 77.106(b) OF THE UNIFORM FIRE CODE IN WHICH STORAGE OF EXPLOSIVES AND BLASTING AGENTS IS PROHIBITED ARE HEREBY ESTABLISHED AS FOLLOWS:

EXCEPT AS OTHERWISE PROVIDED IN THE UNIFORM FIRE CODE, THE STORAGE OF EXPLOSIVES AND BLASTING AGENTS IS PROHIBITED WITHIN THE BOUNDARIES OF THE CITY OF LANSING.

Section 4. That Section 1610.04 of the Code of Ordinances of the City of Lansing, Michigan is hereby enacted to read as follows:

1610.034 **VIOLATIONS.**

(a) No person, FIRM, PARTNERSHIP OR CORPORATION shall violate any of the provisions of this chapter or fail to comply therewith, or violate or fail to comply with any order or regulation made thereunder, or build in violation of any detailed specifications or plans submitted and approved thereunder, or VIOLATE THE TERMS of any license, or permit issued thereunder. The imposition of one penalty for a violation of or noncompliance with any of the provisions of this chapter shall not excuse the violation or permit it to continue, and ANY persons, FIRM, PARTNERSHIP OR CORPORATION violating or failing to comply shall be required to correct or remedy such violation or noncompliance within a reasonable time. When not otherwise specified, a separate offense shall be deemed committed each day that prohibited conditions are maintained.

(b) The application of the penalty set forth in Section 1610.99 shall not be held to prevent the enforced removal or correction of prohibited conditions.

(c) Any of the requirements of this chapter specified for a certain section shall also apply to any other section in which the same condition, operation or hazard exists of a similar nature, whether or not specifically stated.

(d) The disregard of any order or directive and/or the noncompliance with any of the requirements of this chapter by any City licensed business or individual shall constitute sufficient basis for the suspension or revocation of any City license.

Section 5. That Section 1610.99 of the Code of Ordinances of the City of Lansing, Michigan is hereby amended to read as follows:

1610.99 **PENALTIES.**

UPON CONVICTION OF A VIOLATION OF ANY OF THE PROVISIONS OF THIS CHAPTER, A DEFENDANT SHALL BE FINED NOT MORE THAN FIVE HUNDRED DOLLARS ($500) OR IMPRISONED NOT MORE THAN NINETY DAYS OR BOTH FOR EACH OFFENSE.

Section 6. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 7. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by City Council.

MARILYNN SLADE, CITY CLERK

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Ford a request for and resolution acknowledging Non-Profit status for the Children's Learning Care Center of the YMCA

HANDLED AS RESOLUTION #80

2/ From Councilmember Benavides a request that the resolution that was tabled last week regarding the Combined Sewer Overflow Project be removed from the table and considered for action at tonight's meeting

HANDLED AS RESOLUTION #81

3/ From Councilmember Lilly a request for Special Land Use, SLU-01-93, 3202 S. Pennsylvania filed by Derwood Boyd

REFERRED TO THE MAYOR AND THE PLANNING BOARD

MAYOR'S COMMENTS

Mayor Crawford reminded everyone that this Saturday, in Council Chambers, he will hold a forum to receive citizen input on the reorganization of City Hall and city services. City employees are welcome to attend with their suggestions. He thanked Council for the use of their Chambers and Channel 28. This year is the 100th

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

birthday of the Lansing Police Department. Quoting from Pat Heyden's book "Behind the Badge" he gave a brief history of LPD. He responded to the communication regarding three men in a truck on January 24, 1993. This happened on a Sunday. The City had only one truck out doing emergency salting runs that day. This was a yellow truck and the City does not have yellow trucks. He does not believe this was a city vehicle.

REMARKS BY COUNCILMEMBERS

Councilmember Schmidt reminded everyone that the Lansing Youth and Recreation Fund is offering free ice skating and free skate rental at Washington Park every Friday afternoon in February from 3:15 to 4:00. Free hot chocolate will be provided. There are 130 pairs of skates available and the rink holds approximately 200 people so, if there is a large turnout, availability of skates and ice time may be limited. Interested persons may call 483-4230 for more information. She welcomed the Boys and Girls Club members and wished a happy birthday to Judge Felice. The Treasurer's Office is extending the deadline for paying taxes until February 16, 1993 to accommodate the State of Michigan and Federal Offices that will be closed on Monday, February 15, 1993 in observance of Presidents day.

Councilmember Benavides said he received a memo from the City Attorney stating that the Alex Walton Claim was ruled in favor of the City. He commended the City Attorney for this effort. This case could have cost the City 1.5 million dollars. This establishes a parent's accountability for their children. He congratulated the staff of the Planning Department for going the extra mile to work with the residents regarding 5139 Balzar. They did a good job and the residents are very pleased.

Councilmember Lilly announced that the Rezonings and Special Land Use requests from Emanuel First Lutheran Church will not be taken up at this Thursday's meeting of the Physical Development Committee as he previously announced. They are not going to bring up issues faster than the Planning Staff's ability to deal with them. They will inform the neighborhood and the Church. He thanked Mayor Crawford for spending time with him in the last two weeks to educate him on procedural policies. He thanked the Council staff who have worked to make him feel welcome and up to date.

CITIZENS MAY COMMENT

William Bernstein of 420 Baker St. said he was fined $200.00 and given 18 months probation for his conviction for Disturbing a Public Assembly. Last week a Police Officer was tried for larceny and received only a 6 month trial period in which he could commit no other crimes.

Paget Maynard of 902 W. Shiawassee criticized the City Attorney for not giving answers to simple questions asked by Council. The City Attorney is the one who is really playing games. He said that Mayor McKane was overheard last week making comments to his son about how much Mr. Davis pays in taxes. This is not proper. These comments should have been withheld until they were in the privacy of their own home.

William J. Smith of 222 N. Hosmer said he was arrested for trespassing recently. There seems to be some confusion on the part of the Lansing Police Department as to whether they enforce the law according to State of Michigan Statute, or according to City Ordinance. He asked for an explanation of City Council's intent when they passed the Ordinance. Was it to compliment State law, or to conflict with it.

Lloyd Teets of 116 E. Elm St. said President Canady will not support paying Tom Downs, but he will support spending money to see that Mr. Downs does not get paid. He thanked everyone that attended the fund raiser for CBL last Friday. What the city really needs is a Grand Jury investigation. The secret minutes of the Committee of the Whole showed that everyone on Council knew that Elected Officials were included in the early retirement program.

Harold Leeman of 529 N. Francis told President Canady that he has gotten a lot of phone calls from people who would like to see the Committee of the Whole meetings televised on Channel 28. Can this be done? Council should come to some resolve with regards to Mr. Bernstein. He cannot continue to keep coming down here like this. All of these cases should have been treated the same way. He asked why some retirees had to take their seniority checks in 1982, and some just got them last Friday? Does this give them a break in their taxes? He said that Mayor Crawford and President Canady are contradicting each other. One says one thing and the other one says another. Did they know about the eligibility for people in the Early Retirement Incentive, or did they not?

Mayor Crawford responded that his comments to the State Journal were not reported correctly. He attended that Council meeting thinking that Councilmembers would hold back on everything except for the Teamsters, however, following the explanation by the Finance Director and City Attorney, they backed off.

Councilmember Beal said they need to take a look at what happened with the minutes of the executive session. She asked Mr. Knot if Elected Officials are tie barred to the Teamsters in any way. Mr. Knot said they are tie barred to some degree. They could have excluded one or more of these groups, but, they could not have done it that night. They would have had to give 30 days notice to the groups. However, in his recollection, the discussion held was not regarding Elected Officials. It was about Department Heads. There was not much discussion about elected officials at all.

Councilmember Ford said that is why he asked to have the resolution tabled for one week. He asked about time constraints and Mr. Duarte told him that there were time problems, and a tie bar. Mr. Duarte told them that they did have a tie bar, and that it would take weeks and months to get rid of it.

Ammahad Shekarakki of 901 W. Willow St. objected to the audience at last week's meeting attacking his neighborhood. These people called his neighborhood a drug and crime haven and sat there and cheered and clapped about it as if they were at a football game. People having problems is not funny. One person said he is afraid to walk in the neighborhood at night but not in the morning. This was an attack on his neighborhood and he will debate anyone anytime about this and he will win.

Douglas Fairbanks of 1077 Heavenly Way counseled everyone not to be afraid to walk at night. He complimented Mayor Crawford on his open door policy.

Clare Wahl of 2822 Fielding said she will be walking in the Muscular Dystrophy walk again this year. It will take place on April 16, 1993 and she will be back to solicit donations to this cause.

ADJOURNED 9:30
MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, February 15, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
February 15, 1993

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by Vice-President Brockwell

PRESENT: Councilmembers Belen, Benavides, Brockwell, Ford, Lilly, Schmidt

ABSENT: Councilmembers Beal and Canady

The Invocation and Pledge of Allegiance were led by Councilmember Schmidt

By Councilmember Schmidt

To approve the printed Council Proceedings of January 19, 1993

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Ford

To accept the following under suspension of the rules:

1/ From Councilmember Ford a resolution honoring the Walk for Warmth, and designating Saturday, February 20, 1993 "Walk for Warmth Day" in Lansing

2/ From Councilmember Lilly a request to suspend the rules to allow for recognition of a group of students from Lansing Community College

3/ From Councilmember Benavides a letter from Mayor Crawford submitting a resolution of transfer for Council's appropriate consideration and action

Carried unanimously

SCHEDULED PUBLIC HEARINGS

There were no scheduled Public Hearings

PUBLIC COMMENT

Lloyd Teets of 116 E. Elm St. declared that he will be the next City Clerk. He said that item XI C-5, Committee Report reviewing the Annual Report of the Board of Water & Light shows that last year they lost 1.7 million dollars. The implication is that the loss is due to the increase in the amount of return on equity paid to the City of Lansing. The Board, he said, is mismanaged. Council as the over-sight Committee of the Board does nothing about it. The Ad Hoc Committee on the future of the Board of Water and Light has never even met, and probably never will meet. Last year, because of the Director's decision to disconnect a generator, the City lost power twice. Councilmember Ford corrected Mr. Teet's statement that the City lost power twice. Power was never lost, but, the Board did issue two warnings to people to not drink the water because they needed to check for contaminants to ensure the water's safety.

Mark Eggleston of 4001 Heathgate asked Councilmember Benavides what is going on with the Northwest Corner of Waverly Road and Glenburne Blvd. Councilmember Benavides reported that the Committee Report refers this matter to the Committee of the Whole for discussion this Thursday. It will be voted on one week from today if it is reported out of Committee. Mr. Eggleston stated his opposition to the request. They do not need another building in this area. There is a lot of office space in the immediate area now.

Len Stutman of 1030 Schiller Lane thanked Council for the decision not to close Fairway Lane or Clippert St., and for increasing Police protection to them.

Harold Leeman of 529 N. Francis asked what action is being taken with Item # VIII I, letter from Frances Tyler requesting that Committee meetings be televised on Channel 28, he wants to see this letter referred to the proper committee. Councilmember Benavides responded that it is being referred to the Committee of the Whole. He asked for Councilmember Comment regarding the settlement of appeal to the Michigan Tax Tribunal from Trumark, Inc. He expressed his disappointment over the appointment of Margie McNutt to the Elected Officers Compensation Commission. He would like to see the Mayor give new appointees a chance. This person has been on many City Boards. Regarding the denial of the request to close Fairway and Clippert Streets, he suggested that this issue be reviewed. Up until a couple of years ago Clippert St. was a one way street. He asked for discussion regarding the Committee Report reviewing Financial Statements from the Convention/Exhibition Authority, and on the Resolution setting the first meeting of the Elected Officers Compensation Commission. Their first meeting will be held February 24, and he would like to hear Councilmembers pros and cons regarding this meeting.

Shelly Conrad of 1020 Shelter Lane thanked Council for passing the Resolution of denial on the request to close Fairway and Clippert Streets.

SPECIAL CEREMONIES

A. Councilmember Schmidt presented a Resolution of Tribute to the Forest View School Fifth Graders for outstanding performance on their MEAP Science Test. Elizabeth Turpin, Principal of Forest View School along with Staff members Bernadette Tomer and Brenda Timmer, and Students Robbie Wyman, Safety Patrol, and Charlie Crow, President of Student Council, accepted the award and thanked Council and the Mayor for this recognition. Principal Turpin expressed her pride in the School and her students and staff. Awards like this take a lot of teamwork. She thanked her fantastic staff and great students. Student Council President Crow thanked City Council, his principal, and the teachers of the School that do such a good job.

B. Councilmember Benavides presented a Resolution of Tribute to

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Fairview School Principal Ricardo Briones on behalf of his Fourth Graders for outstanding performance on their MEAP Reading and Math Tests. Principal Briones thanked Council for the Award and said it is good to have their recognition. He thanked the parents of his students for instilling in their youngsters the value of education. Fairview has an articulated curriculum, he said, and hopes to soon catch up with Forest View.

C. Reverend James Martin Jones presented plans for a New American Legion Post Home to be located within the City Limits of Lansing. This will be a working Post Home and will be a non-smoking, non-drinking home. The objectives of the Home will include:

1. Helping homeless veterans find food and shelter,
2. Helping veterans complete their education.
3. Helping veterans with job placement.
4. Helping veterans with drug and alcohol rehabilitation programs.
5. Working with veterans to upgrade bad discharges.
6. Working with veterans families to help with home heating problems.

D. Councilmember Ford presented a Resolution of Tribute declaring February 23, 1993 as "Walk for Warmth Day" to Mary Jo Kerekes of Capital Area Community Services in honor of their "Walk for Warmth" fund raising project. Ms. Kerekes and an associate accepted the tribute and invited Councilmembers to the kickoff at 101 E. Willow this Saturday. Last year they raised $30,000 and are hoping to raise more this year.

E. Councilmember Lilly introduced a group of Government Students from Lansing Community College and asked that they stand and be recognized.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Canady

Carried unanimously

A. Letter from the Lansing Industrial Council supporting the Board of Water & Light as a public utility, and recommending that the Ad Hoc Committee on the Board ofWater & Light be disbanded, or, redefined by its' mission statement

REFERRED TO THE MAYOR

B. Letter from Tom Lafferty of 1806 W. Michigan regarding the Combined Sewer Overflow project

REFERRED TO THE MAYOR

C. Letter from the Children's Learning Care Center requesting Community Development Block Grant funds in the amount of $45,000

REFERRED TO THE MAYOR

D. Petition for Declaratory Ruling before the Federal Communications Commission for designation of WLAJ (TV) Channel 53 as a "Significantly Viewed" signal

RECEIVED AND PLACED ON FILE

E. SLU-2-93, 911 W. Hillsdale St., special land use request filed by Gracie Ansley of 2034 W. Lenawee to allow for development of an adult care facility

REFERRED TO THE MAYOR AND THE PLANNING BOARD

F. Notice from the State of Michigan, Department of Social Services of the closing of a Children's Foster Family Group Home License at 1218 Cawood St.

REFERRED TO THE MAYOR

G. Claims received from:

1. Claim from Osborn Management Co. of 3303 W. Saginaw for nuisance fees applied against their property located at 341 E. Hillsdale

REFERRED TO THE CITY ATTORNEY

2. Claim appeal of Robert C. Abraham for nuisance fees applied against his property at 435 W. Randolph

REFERRED TO THE CITY ATTORNEY AND THE COMMITTEE ON GENERAL SERVICES

3. Claim appeal from Sixty Plus, Inc. on behalf of Darryl White

REFERRED TO THE CITY ATTORNEY AND THE COMMITTEE ON GENERAL SERVICES

H. Notice of a hearing before the Public Service Commission for the Customers of Consumers Power Company Cases U-10266, 10267, 10268, 10269, 10270, 10271, 10272, 10273, 10274, 10275, and 10276 to be held February 22, 1992

RECEIVED AND PLACED ON FILE

I. Letter from Frances Tyler of 453 E. Edgewood #C requesting that Council Committee meetings be televised on Channel 28

REFERRED TO THE COMMITTEE OF THE WHOLE

MAYOR MAY COMMENT

Mayor Crawford outlined his letters on tonight's agenda. He thanked the Lansing Fire fighters who have spent the entire year working with the Mayor's Office on health care cost containment. He said that anyone in the Community who wants to serve on a City Board must only let them know. Each person will receive every consideration. The ambulance fee ordinance proposed by the previous administration never had his endorsement. It was a finance driven piece of legislation and contains items that need further work. Councilmember Ford asked if this is a total withdrawal of the ambulance fee proposal, or, just reworking it? Mayor Crawford said it remains to be seen whether this ordinance can be of benefit to the city or not. Councilmember Schmidt said she is not in favor of this proposal. She does not want the Mayor to come back with a recommendation to charge for these services.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. **RESOLUTION #83**
February 15, 1993

President Canady and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Eric O. Johns, David L. Lehman, Chris M. Jensen

Sincerely,
Marilynn Slade, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of February 8, 1993 for Review

RECEIVED AND PLACED ON FILE

C. **RESOLUTION #84**
February 12, 1993

Council President Canady and
Members of City Council
10th Floor, City Hall
Lansing, MI 48933

Re: Recommendation for Settlement of Property Tax Appeal
Michigan Tax Tribunal No. 144094

Dear Council President and Members of City Council:

The above matter involves an appeal of the City property tax assessment. After investigating the subject property; the property owner's appraisal report; and, the report of the City's outside appraiser, the following proposed settlement was agreed upon:

TRUMARK INC. v CITY OF LANSING (DOCKET 144094)
Value Comparison

Parcel No.	1990 Assessed	1991 Assessed	1992 Assessed	Petitioner Request	City Appraisal	Petitioner Appraisal	Original 1992 Addition
3301-02-102-002	544,200	512,900	633,400	232,800		841,700 *	1,021,700
IFT 84-616	21,700	21,700	21,700	5,700		33,600 *	33,600
TOTAL SUBJECT PROPERTY	565,900	534,600	655,100	242,500		875,300 *	1,115,350
3301-08-102-251	28,800	28,800	28,800	16,200		44,500 *	44,500
IFT 84-617	278,100	278,100	278,100	163,800		430,200 *	430,200
TOTAL MELVIN PROPERTY	306,900	306,900	306,900	180,000		474,700 *	474,700
TOTAL ASSESSED	872,800	841,500	962,000	422,500			
TOTAL TRUE CASH VALUE	1,745,600	1,683,000	1,924,000	845,000	1,385,000	1,350,000	
				For 1992	1,626,000		1,590,000

*NOTE: Breakdown of stipulated values based on % of total original assessment. If the individual assessment breakdown differs, so would the tax dollar amount. This would be due to the value given the IFT exemptions.

CITY TAX COMPARISON

Total All Parcels	1990	1991	1992	Total
Original City Tax	$11,523.03	$12,033.84	$14,130.54	
Stipulation (Using Petitioners Appraisal)	8,911.26	9,727.47	11,815.47	
City Tax Difference	$2,611.77	$2,306.37	$2,315.07	$7,233.21

(does not include interest)
NOTE: The above 1992 Value & Stipulation includes 120,500 assessed for an addition built in 1991.

The foregoing proposal is based primarily upon the fact that the subject property is environmentally contaminated. This contamination was unknown to the City until the instant appeal was filed. The property owner is presently in the process of correcting the contamination which will take approximately fifteen (15) years.

The proposed settlement reflects the true cash value of subject property less the cost to cure the environmental contaminants. This figure is consistent with the figure of value upon which the City's outside appraiser arrived. The cost to the City if this settlement were approved is $7,233.21. If the matter proceeded to trial, the City would be required to pay approximately $6,000 for the completion of its outside appraisers report and anywhere from $5,000 to $30,000 for an environmental analysis. Accordingly, it is the recommendation of the Mayor, this Office, and the Office of the City Assessor that the proposed settlement receive approval. It should be noted that the property owner has waived his entitlement to a refund of statutory interest and no transfer of funds is required.

As always, if you have any concerns or questions, please contact my office. Thank you.

Very truly yours,
Alvan P. Knot, City Attorney

By Councilmember Benavides

To accept the recommendations of the City Attorney

Carried unanimously

D. Letters from the Mayor re:

1/ Labor Union Agreement for Fire Fighters Local #421

REFERRED TO THE COMMITTEE OF THE WHOLE, SCHEDULED FOR ACTION AS ITEM XII C-2

2/ **RESOLUTION #85**
TO: Council President Mark Canady and City Councilmembers
FROM: James A. Crawford, Mayor
DATE: February 11, 1993
SUBJ: Trash Violation Fee (V-26)—$1892.01

The attached trash violation/assessment fees for removal of trash and debris in the R.O.W. is forwarded with my concurrence for your review and appropriate action.

By Councilmember Ford

To accept the recommendations of the Mayor

Carried unanimously

3/ Appointment of Margie R. McNutt to the Elected Officers Compensation Commission

REFERRED TO THE COMMITTEE OF THE WHOLE

4/ ACT-41-92, Irvington Avenue Alley

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

5/ Recommendation for withdrawal of fees for Ambulance Services

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

RESOLUTION #86
Z-21-92
5700 Aurelius Road

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of the rezoning petition Z-21-92 5700 Aurelius Road, to be rezoned from "H" Light Industrial and "J" Parking Districts to "H" Light Industrial District

REPORTS AS FOLLOWS: That the request for said rezoning be approved.

SIGNED: RICK LILLY
Lucile Belen
Mark H. Canady
COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Lilly:

That the Committee Report be adopted

Carried unanimously

RESOLUTION #87
THE COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred Rezoning Petition Z-2-92, for property at the northwest corner of Waverly Road and Glenburne Boulevard,

REPORTS AS FOLLOWS: The Committee has received extensive testimony on this matter from the petitioner and from residents of nearby single-family homes, who are opposed to a more intensive use of property in their subdivision. While the Planning Board recommended denial of the Professional Office rezoning as filed, the Committee asked the Planning Staff to work with the petitioner on a revised site plan that would screen the proposed office building from nearby residential parcels. This was done. The Committee heard from the City Attorney that he concurs in the recommendation of the Planning Board, but the Council could legally rezone the property according to the compromise site plan. The Committee sees the validity of facts and opinions on both sides of this rezoning, but is not convinced that the petition should be denied. This matter is hereby referred to the Committee of the Whole without recommendation.

Signed: Richard J. Lilly
Mark H. Canady
Lucile E. Belen

BY COUNCILMEMBER LILLY:

That the report of the Committee be received.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Belen, Brockwell, Ford, Lilly, Schmidt

NAYS: Councilmember Benavides

ABSENT: Councilmembers Beal, Canady

RESOLUTION #88
THE COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the final version of the Seven Block Area Development Plan, as recommended by the Planning Board and former Mayor McKane,

REPORTS AS FOLLOWS: The Committee hereby endorses the land use concepts contained in the Development Plan, and congratulates the citizens and staff who formulated the Plan on a job well done. The Seven Block Area Development Plan is hereby referred to the Committee on Ways and Means for an analysis of the Plan's financial impact. The Committee on Physical Development recommends that upon a favorable report from the Committee on Ways and Means, that the Plan be forwarded to the Committee of the Whole for final review before adoption.

Signed: Richard J. Lilly, Chair
Mark H. Canady
Lucile E. Belen

BY COUNCILMEMBER LILLY:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #89
THE COMMITTEE ON PUBLIC SAFETY, to whom was referred the report from the Traffic Board and former Mayor McKane regarding a petition to close Fairway Lane south of Hillgate Way to through traffic in the Frandora Hills subdivision,

REPORTS AS FOLLOWS: The Traffic Board and former Mayor McKane recommended that the petition be denied. Furthermore, the Traffic Board and former Mayor McKane recommended denial of the staff recommendation to close Clippert Street west of Fairway Lane to through traffic for a 120-day trial, to initiate the temporary closure in June 1993, and to conduct an after study.

The Committee heard testimony from several area residents, all of whom were opposed to any street closure in the Frandora Hills subdivision. No citizens spoke on behalf of the action requested in the petition. Testimony included residents' views that their subdivision does not receive adequate City services, such as police patrols and traffic law enforcement, due to their location east of US-127 on the geographic boundary with East Lansing. They reported conversations with LPD officers who expressed surprise that this area was part of Lansing.

The Committee concurs with the recommendation to deny the Fairway Lane closure requested in the petition, and to deny the experimental road closure of Clippert Street. The Committee also recommends that the Mayor be requested to direct LPD to increase patrols and traffic law enforcement, particularly speeding, in the Frandora Hills subdivision.

Signed: Alfreda Schmidt
Tony Benavides
Charles Ford

February 15, 1993

BY COUNCILMEMBER SCHMIDT:

That the report of the Committee be adopted.

CARRIED UNANIMOUSLY

RESOLUTION #90
THE COMMITTEE ON WAYS AND MEANS, to whom was referred the recommendation to add a new Chapter, Chapter 890, Sections 890.01, 890.02, and 890.03 for the purpose of increasing the membership of the Board of Review,

REPORTS AS FOLLOWS: That said ordinance be adopted.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES: That the report of the Committee be received.

February 22, 1993.

CARRIED UNANIMOUSLY

RESOLUTION #91
THE COMMITTEE ON WAYS AND MEANS, to whom was referred the Interim Financial Statements for the Greater Lansing Convention/Exhibition Authority for the quarter ending December 31, 1992,

REPORTS AS FOLLOWS: The Committee reviewed the Interim Statements with the Director of the Authority. Of particular significance is the 86% self-supporting status of the Lansing Center and the 63% self-supporting status of the Civic Arena for the six month period under review. In addition, Net Income, after subsidy application, increased to $67,474 as compared to last year's figure of $(98,936), an increase of $166,410 for the comparable periods. Total operating revenues increased by $179,381, or 31%, primarily as a result of the in-house food and beverage sales.

SIGNED: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

February 22, 1993.

RESOLUTION #92
THE COMMITTEE ON WAYS AND MEANS, to whom was referred the Internal Audit analysis of the financial position of the City at June 30, 1992,

REPORTS AS FOLLOWS: The analysis was presented by Council Staff, and reviewed with representatives of the Finance Department. This report highlights items of interest.

General Fund: Revenues exceeded expenditures by $193,555. Working Capital advanced from $11,148,679 to $11,870,190, a 6.5% increase. Unreserved Fund Balance increased to $10,329,901, an increase of 2%. The analysis concludes that "...financial reserves are modest...City Council and the Administration will have to continue rigorous cost containment over the General Fund."

Sewage Disposal Fund: Net Income for the year was a loss of $448,046. In spite of a 9% rate increase, Operating Revenues increased 1.7% reflecting an elasticity of demand and the general economic malaise impacting the economy. Although the Fund incurred significant interest expense due to renovations of the facility, debt ratios are within normal parameters for an enterprise utility fund.

Municipal Parking System Fund: Net Income for the year was a loss of $619,593, following a loss of $179,502 in the preceeding year. During the last two fiscal years Operating Income has remained static while Operating Expenses have increased 43%. The FY 92 loss was substantially impacted by non-operating expenses in excess of revenues of $360,217, 58% of the Net Income loss. Debt ratios for this fund are in excess of normal parameters. The Committee on Ways and Means will review this fund on a quarterly basis.

Garbage and Rubbish Fund: This fund is in very sound financial condition, with a Net Income of $1,143,127. The Committee anticipates no rate increases for FY 93-94, and is hopeful that rate increases will not be necessary for FY 94-95.

Retirement Funds: The City actuary reports that both the General Employees and the Police and Fire Retirement Funds are ..."in very good actuarial condition...". Payments as a percentage of assets were, respectively, 4.4% and 6.0%. Both figures represent a marginal reduction from prior year payouts as a percentage of assets. Revenues to the General Employees Fund increased 43.9% while revenues to the Police and Fire Fund increased 51.6% during FY 92.

February 15, 1993

By Councilmember Benavides

Carried unanimously

RESOLUTION #93
THE COMMITTEE ON WAYS AND MEANS

TO WHOMWAS REFERRED the Americans with Disabilities Act Self Evaluation of Programs and Services.

The Committee reviewed the progress of the City toward reaching full compliance with the A.D.A., and while the City has made every effort to meet these guidelines, full compliance of the act in the short term would be extensively costly. It is the intent, however, of the City to continue to implement changes and work towards full compliance of the American Disabilities Act.

SIGNED
BY COUNCILMEMBER BENAVIDES

That the report of the committee be adopted.

CARRIED UNANIMOUSLY

February 15, 1993

RESOLUTION #94
THE COMMITTEE ON WAYS AND MEANS

TO WHOM WAS REFERRED the Board of Water and Light 1992 Annual Report.

REPORTS AS FOLLOWS: In preparation of the upcoming meetings with the Board of Water an Light, the Committee reviewed the financial statements of the Board. The Committee notes that the operating income decreased approximately 54% in the past two years and the net income dropped approximately 48% during this same time period. The Committee felt it was important to make the Council aware of these facts. Upon completion of the review, the 1992 Annual Report was received and placed on file.

SIGNED

BY COUNCILMEMBER BENAVIDES

That the report of the committee be adopted.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

CARRIED UNANIMOUSLY

February 15,1993

RESOLUTIONS

RESOLUTION #95
ACT-28-82
Conrail Parcels-Hiking/Biking Path

WHEREAS, in a Resolution adopted on September 20, 1982, the City Council authorized the exchange or sale of parcel nine a strip of land 4 rods wide across Block 210, Original Plat; and

WHEREAS, said resolution does not legally or practically identify the property in the "Resolved" portion of the resolution; and

WHEREAS, the adjacent property owner the Christman Company has offered to purchase this property for the sum of $3,500.00; and

WHEREAS, the City's Real Estate Specialist and the Director of Parks and Recreation have reviewed and approved this offer; and

WHEREAS, this sale will promote the most desirable and efficient assemblage of land and improvements in the neighborhood also returning a fair sale price to the City.

NOW THEREFORE BE IT RESOLVED, that the Lansing City Council does hereby approve the sale of parcel nine, legally described as beginning on the North line of Block 210, Original Plat of the City of Lansing, Ingham County, Michigan at a point South 84 degrees 09 minutes 05 seconds West 149.24 feet from the Northeast Corner of Block 210, thence South 12 degrees 24 minutes 43 seconds West 221.21 feet to the North line of Lot 7; thence South 89 degrees 55 minutes 41 seconds West 67.60 feet along said North line; thence North 12 degrees 24 minutes 43 seconds East 214.04 feet to the North line of Block 210; thence North 84 degrees 09 minutes 05 seconds East 69.50 feet to the point of beginning.

BE IT FURTHER RESOLVED that the Lansing City Council does hereby reserve a permanent Easement for public utilities under, in, upon, along, over and across the described property.

BE IT FURTHER RESOLVED that the administration prepares and sign the appropriate transfer documents, with the purchaser paying all closing cost.

BE IT FINALLY RESOLVED that these funds are to be used for the development of the River Trail from Dietrich Park to Tecumseh Park along the North side the Grand River.

By Councilmember Lilly

Carried unanimously

RESOLUTION #96
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on July 20, 1981, this Council adopted a resolution authorizing the sale of a vacant parcel located on the west side of Shepard Street, adjacent to Woodman Road; and

WHEREAS, this action was taken to encourage the rehabilitation of the residential neighborhood, eliminating a negative living environment and providing an opportunity for improved land use in this area; and

WHEREAS, said resolution does not legally or practically identify the property in the "Resolved" clause; and

WHEREAS, after 12 years of active attempts to market this parcel, the City has received no offers at the $2,600 asking price; and

WHEREAS, Habitat For Humanity/Lansing has offered to purchase the property for a nominal consideration; and

WHEREAS, this sale will promote the most desirable and efficient assemblage of land and improvements in the neighborhood;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the sale of Parcel Number 3301-22-281-132-6, legally described as:

Lot 220 and Lot 221 except for the north 10 feet, City Park Subdivision, Part of NE ¼ of Section 22, T4N, R2W, City of Lansing, Ingham County, Michigan,

to Habitat for Humanity/Lansing, for the nominal sum of one dollar ($1.00); and

BE IT FURTHER RESOLVED the Mayor is authorized to prepare and sign appropriate transfer documents, with the purchaser paying all closing costs.

February 15, 1993

By Councilmember Lilly

Carried unanimously

RESOLUTION #97
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

PUBLIC IMPROVEMENT V

RESOLVED, by the City Council of the City of Lansing:

That the supplementary Special Assessment Roll 315, Public Service # 84023, WEST MILLER ROAD RECONSTRUCTION. Whereas it is a matter of public necessity to construct the following Curb and Gutter improvements, in front of and adjacent to, the properties described below:

PROPERTY BENEFITTED: All lands fronting WEST MILLER ROAD between LOGAN and PLEASANT GROVE, excepting all public streets and alleys and other land deemed not benefitted.

ROLL 315
ESTIMATED COST $25,343.76
ACTUAL COST $25,343.76
DIFFERENCE . . . . . -0-

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to collect said tax 90 days after approval.

By Councilmember Lilly

Carried unanimously

RESOLUTION #98
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

PUBLIC IMPROVEMENT V

RESOLVED, by the City Council of the City of Lansing:

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

That the supplementary Special Assessment Roll 318, Public Service # 87063, AURELIUS ROAD CONSTRUCTION, PHASE II. Whereas it is a matter of public necessity to construct the following improvements, curb, gutter, storm and sanitary sewer in front of and adjacent to, the properties described below:

PROPERTY BENEFITTED: All lands fronting on the WEST side of AURELIUS ROAD from I-96 SOUTH to WILLOUGHBY ROAD and all lands fronting on DELL ROAD from AURELIUS ROAD WEST to the WEST end, and all lands fronting on WILLOUGHBY ROAD from AURELIUS ROAD WEST 170 feet and excepting all public streets and alleys and other land deemed not benefitted.

ROLL 318
ESTIMATED COST $215,408.02
ACTUAL COST $210,103.75
DIFFERENCE $5,304.27

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to collect said tax 90 days after approval.

By Councilmember Lilly

Carried unanimously

RESOLUTUION #99
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

PUBLIC IMPROVEMENT V

RESOLVED, by the City Council of the City of Lansing:

That the supplementary Special Assessment Roll 322, Public Service # 01001, 1991 LOCAL STREET REPAIR. Whereas it is a matter of public necessity to construct the following improvements, curb, gutter, storm sewer in front of and adjacent to, the properties described below:

CURB AND GUTTER—PROPERTY BENEFITTED: All lands fronting on VINE STREET from HAYFORD to MAGNOLIA excepting all public streets and alleys and other land deemed not benefitted.

STORM SEWER—PROPERTY BENEFITTED: All lands fronting on VINE STREET from HAYFORD to MAGNOLIA excepting all public streets and alleys and other land deemed not benefitted.

ROLL 322
ESTIMATED COST $13,000.75
ACTUAL COST $13,000.75
DIFFERENCE ..... -0-

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to collect said tax 90 days after approval.

By Councilmember Lilly

Carried unanimously

RESOLUTION #100
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfer be made:

$380 from Est. Rev. A/C 101-0-170001-0
(Donations-Private Sources—101-0-675003-0)
$380 to Fire Dept.—Bgt. Ctrl. Acct.
A/C 101-343501-992200-0
(Donations from outside agencies for paramedic training. To memo account 101-343501-741880-0 Donations)

Submitted by:
Douglas Rubley, Interim Finance Director
I hereby certify that funds are available

By Councilmember Benavides

Carried unanimously

Councilmember Schmidt requested that she go on record as saying that she will not approve any increase in salary for any elected official. Councilmember Ford agreed with Councilmember Schmidt's statements. He voted against this the last time and he will vote against it this time too. He suggested that they amend this Chapter of the Code to require that the Elected Officer's Compensation Commission meet on the Second Tuesday of the month in each odd-numbered year. Thereby, they would not appear to be involved in requesting this meeting again. They are required by Code to convene the first meeting of this board, and it makes them look as if they are in agreement with pay increases.

RESOLUTION #101
BY COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, in accordance with Chapter 280 of the City Code the Elected Officers Compensation Commission determines the salaries of all elected officials; and

WHEREAS, as required in Chapter 280 the Commission must meet prior to March 1 in each odd-numbered year; and

WHEREAS, Chapter 280 also requires that the date, time, and location of the first meeting be designated by Council resolution:

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby convenes the Elected Officers Compensation Commission for its first meeting on the 1993 session in the City Council Conference Room, Tenth Floor, City Hall, at 7:30 p.m. on Wednesday, February 24, 1993.

2/15/93

By Councilmember Benavides

Carried unanimously

RESOLUTION #102
WHEREAS, the City of Lansing and the International Association of Fire Fighters, Local #421 have collectively negotiated a labor agreement for the period January 15, 1993 through January 22, 1994; and

WHEREAS, the contract has been recommended for approval by the Mayor; and

WHEREAS, the City Council has reviewed the contract provisions;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the proposed contract covering the period January 15, 1993 through January 22, 1994 and the agreement relative to the impact effective upon ratification between the City of Lansing and International Association of Fire Fighters, Local #421;

BE IT FURTHER RESOLVED the City Council authorizes the Ways

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

and Means Committee to process the necessary transfers to the appropriate salary and fringe benefit accounts to fund this agreement.

By Councilmember Benavides

To ammend the resolution by striking the words "Ways and Means Committee" in the last paragraph, and replacing them with "Administration"

Carried unanimously

By Councilmember Benavides

To place an affirmative roll on the resolution as amended

Carried unanimously

RESOLUTION #103
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Educational Assessment Program (MEAP) is a battery of tests given each year to public school students throughout our state, and the test results are one of several measures used to evaluate student achievement as well as curricula and teaching methods; and

WHEREAS, this year's Fifth Graders at Forest View School had the highest percentage of "Satisfactory" students of any elementary school in the Lansing School District on Science portion of the 1992 MEAP; and

WHEREAS, the state goal for Science expects that 75 percent of the students in Grade 5 will perform in Category 4, which shows achievement of 75 to 100 percent of test objectives; and

WHEREAS, 80.4 percent of this year's Forest View Fifth Graders achieved Category 4, which surpassed the state goal on this demanding test; and

WHEREAS, the 1992 results mark the third consecutive year that Forest View is the only Lansing School District school to surpass the state goal on the MEAP Grade 5 Science test; and

WHEREAS, this leadership performance is a tribute to the students themselves as well as the principal, teachers, classroom aides, and parents at Forest view School;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby commends Principal Dr. Elizabeth Turpin, her staff, the Fifth Grade Students at Forest View Elementary School, and their parents for the team effort that led to the students' outstanding achievement on the 1992 Michigan Educational Assessment Program Science Test.

February 12, 1993

By Councilmember Schmidt

Carried unanimously

RESOLUTION #104
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Educational Assessment Program (MEAP) is a battery of tests given each year to public school students throughout our state, and the test results are one of several measures used to evaluate student achievement as well as curricula and teaching methods; and

WHEREAS, this year's Fourth Graders at Fairview School had the highest percentage of "Satisfactory" students of any elementary school in the Lansing School District on both the reading and math portions of the 1992 MEAP; and

WHEREAS, this leadership performance is a tribute to the students themselves as well as the principal, teachers, classroom aides, and parents at Fairview School;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby commends Principal Ricardo Briones, his staff, the Fourth Grade Students at Fairview Elementary School, and their parents for the team effort that led to the students' outstanding achievements on the reading and math portions of the 1992 Michigan Educational Assessment Program tests.

February 12, 1993

By Councilmember Ford

Carried unanimously

RESOLUTION #105
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Grady J. Porter has been a resident of the City of Lansing since 1936; and

WHEREAS, following distinguished service in Europe, first with the United States Army during World War II, and then employment with the United Nations after the war, Grady returned to Lansing to begin his career with Oldsmobile; and

WHEREAS, Grady was first elected to the Ingham County Board of Supervisors in 1968 to represent District 12, and he was the first Black resident elected to Ingham County Government in the history of the county; and

WHEREAS, in his 24 years on the county commission, which makes him the longest-serving Commissioner, Grady has served on every committee and has served as Chairperson Pro Tem for the 10 years prior to his retirement; and

WHEREAS, in recognition of his outstanding service as an elected official, the Ingham County Board of Commissioners has named the County Building at 303 West Kalamazoo Street, Lansing, after Grady Porter;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 15th day of February, 1993, hereby commends and congratulates GRADY J. PORTER for his many accomplishments and his 24 years of dedicated service to the people of his district and the Citizens of Ingham County.

February 15, 1993

By Councilmember Lilly

Carried unanimously

RESOLUTION #106
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

WHEREAS, the financial hardship experienced by low-income families is intensified by the severe impact of winter in Michigan, causing limited resources to be stretched and a disproportionate share of income to be used to provide the simple necessity of a safe and warm home; and

WHEREAS, Federal and State programs intended to deal with heating-related emergencies have declined dramatically in recent years, particularly affecting people who fall outside the established welfare system, the unemployed and the underemployed; and

WHEREAS, Capital Area Community Services, in an effort to raise money to help people throughout our community who suffer the effects of heating-related emergencies, is sponsoring their annual "Walk for Warmth" on Saturday, February 20th, in Ingham, Eaton, Clinton and Shiawassee Counties;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 15th day of February, 1993, hereby recognizes Saturday, February 20, 1993, as "WALK FOR WARMTH" DAY IN LANSING; and

BE IT FURTHER RESOLVED the Council urges all citizens to show compassion for their neighbors in need by actively participating in this very worthy event.

By Councilmember Ford

Carried unanimously

ORDINANCES FOR INTRODUCTION

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-17-92, 5139 Balzer Street/5200 South Dr. Martin Luther King, Jr. Blvd./Logan Street—"A" Residential District to "F" Commercial and "J" Parking Districts.

was introduced by Councilmember Lilly, read a first and second time by its title and referred to the Committee on Physical Development.

RESOLUTION #107
By Councilmember Lilly:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, March 8, 1993 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-17-92, 5139 Balzer Street/5200 South Dr. Martin Luther King, Jr. Blvd./Logan Street to be rezoned from "A" Residential District to "F" Commercial and "J" Parking Districts.

Carried unanimously

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-22-92, 1100-1106 West Ionia Street—"B" Residential District to "C" Residential District

was introduced by Councilmember Lilly, read a first and second time by its title and referred to the Committee on Physical Development.

RESOLUTION #108
By Councilmember Lilly:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, March 8, 1993 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-22-92, 1100-1106 West Ionia Street—"B" Residential District to "C" Residential District

By Councilmember Lilly

Carried unanimously

ORDINANCES FOR PASSAGE

BY COUNCILMEMBER LILLY:

That we move to passage of ordinances.

BY COUNCILMEMBER BELEN

That Ordinances, when read, be considered as being read in their entirety.

BY COUNCILMEMBER LILLY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-21-92, 5700 Aurelius Rd. rezoning from "H" Light Industrial and "J" Parking Districts to "H" Light Industrial District be placed on order of immediate passage.

BY COUNCILMEMBER LILLY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-21-92, 5700 Aurelius Rd. rezoning from "H" Light Industrial and "J" Parking Districts to "H" Light Industrial District be now passed.

YEAS: Councilmembers Belen, Benavides, Brockwell, Ford, Lilly, Schmidt

NAYS: None

ABSENT: Councilmembers Beal, and Canady

ORDINANCE #2352
AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERIY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MIAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-21-92, 5700 Aurelius Road

Parcel Number: That part of the Southeast ¼ of Section 3, T3N, R2W, City of Lansing, Ingham County, Michigan described as: Beginning at a point on the East line of Section 3, T3N, R2W, 327.65 feet South of the east ¼ corner of Section 3 at the center of Mud Lake Drain; thence south 772.89 feet along the East line of Section 3 to the Northeasterly right-of-way line of the Penn Central Railroad; thence North 24°01'47" West, 624.81 feet along the Northeasterly right-of-way line; thence along the center of the Mud Lake Drain North 65°58'13" East, 17.00 feet and North 44°38'44" East, 274.50 feet and East 46.00 feet to point of beginning.

From "H" Light Industrial and "J" Parking Districts to "H" Light Industrial District.

Section 2. All ordinancss or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless gjven immediate effect by the City Council.

MARILYNN SLADE, CITY CLERK

By Councilmember Benavides:

That the Ordinance when read be considered as read in its entirety.

BY THE COMMITTEE ON WAYS AND MEANS

By Councilmember Benavides:

Resolved by the City Council of the City of Lansing that an Ordinance providing for an amendment to the Code of Ordinances, City of Lansing, Michigan, Add a new Chapter, Chapter 890, Sections 890.01, 890.02, and 890.03 to the Code of Ordinances of the City of Lansing, Michigan for the purpose of Increasing the Membership of the Board of Review, Which is Created under the 1978 Lansing City Charter, to Six (6) Public Members, be placed on order of immediate passage.

BY THE COMMITTEE ON WAYS AND MEANS

By Councilmember Benavides:

Resolved by the City Council of the City of Lansing that an Ordinance providing for an amendment to the Code of Ordinances, City of Lansing, Michigan, to Add a new Chapter, Chapter 890, Sections 890.01, 890.02, and 890.03 to the Code of Ordinances of the City of Lansing, Michigan for the purpose of Increasing the Membership of the Board of Review, Which is Created under the 1978 Lansing City Charter, to Six (6) Public Members, be now passed

YEAS: Councilmembers Belen, Benavides, Brockwell, Ford, Lilly, Schmidt

NAYS: None

ABSENT: Councilmembers Beal, and Canady

By Councilmember Schmidt

To give the Ordinance immediate effect for the health, safety, and welfare of the public

Adopted by the following vote:

YEAS: Councilmembers Belen, Benavides, Brockwell, Ford, Lilly, Schmidt

NAYS: None

ABSENT: Councilmembers Beal, and Canady

ORDINANCE NO. 858

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING THAT THE CODE OF ORDINANCES, CITY OF LANSING, MICHIGAN, BE AMENDED BY ADDING A NEW CHAPTER 890 FOR THE PURPOSE OF INCREASING THE MEMBERSHIP OF THE BOARD OF REVIEW, WHICH IS CREATED UNDER THE 1978 LANSING CITY CHARTER, TO SIX (6) PUBLIC MEMBERS:

THE CITY OF LANSING ORDAINS:

Section 1. That Chapter 890 of the Code of Ordinances of Lansing, Michigan, be amended by adding new Sections numbered 890.01 through 890.03, inclusive, to read as follows:

SECTION 890.01

(A) A BOARD OF REVIEW FOR REVIEWING PROPERTY TAX ASSESSMENTS IN THE CITY OF LANSING IS CREATED.

(B) THE MAYOR SHALL APPOINT, SUBJECT TO COUNCIL CONFIRMATION, SIX (6) MEMBERS SERVING STAGGERED TERMS OF THREE (3) YEARS EACH. IN ORDER TO INCREASE THE MEMBERSHIP OF THE BOARD OF REVIEW CREATED UNDER THE 1978 LANSING CITY CHARTER TO SIX (6) MEMBERS, ONE MEMBER SHALL BE APPOINTED TO A TERM WHICH SHALL EXPIRE THE END OF JUNE OF 1993. ALL OTHER PUBLIC MEMBERS WHICH ARE SERVING TERMS OF THREE (3) YEARS AT THE TIME OF THE ADOPTION OF THIS CHAPTER SHALL CONTINUE UNTIL THE EXPIRATION OF THEIR TERM.

SECTION 890.02

(A) THE MEMBERS OF THE BOARD OF REVIEW SHALL BE APPOINTED ON THE BASIS OF THEIR KNOWLEDGE AND EXPERIENCE IN PROPERTY VALUATION.

(B) NO MEMBER OF THE BOARD OF REVIEW SHALL HOLD ANY OTHER PUBLIC OFFICE OR PUBLIC EMPLOYMENT IN ANY LOCAL UNIT OF GOVERNMENT SUPPORTED BY LANSING PROPERTY TAXES IN WHOLE OR IN PART. ALL MEMBERS OF THE BOARD OF REVIEW SHALL BE RESIDENTS OF THE CITY.

SECTION 890.03

(A) UNLESS OTHERWISE PROVIDED BY ORDINANCE, THE BOARD OF REVIEW SHALL CONVENE ON THE SECOND MONDAY IN MARCH AND SIT FOR AT LEAST FIVE (5) CALENDAR DAYS.

(B) THE BOARD OF REVIEW SHALL HAVE SUCH POWERS AND DUTIES AS MAY BE PROVIDED BY LAW.

(C) THE BOARD OF REVIEW SHALL ADOPT RULES FOR ITS CONDUCT OF BUSINESS.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by City Council.

MARILYNN SLADE, CITY CLERK

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Ford a resolution honoring the Walk for Warmth, and designating Saturday, February 20, 1993 "Walk for Warmth Day" in Lansing

HANDLED AS RESOLUTION #106

2/ From Councilmember Lilly a request to suspend the rules to

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

allow for recognition of a group of students from Lansing Community College

THE RULES WERE SUSPENDED AND COUNCILMEMBER LILLY RECOGNIZED A GROUP FROM LANSING COMMUNITY COLLEGE DURING THAT PORTION OF THE AGENDA RESERVED FOR SPECIAL CEREMONIES

3/ From Councilmember Benavides a letter from Mayor Crawford submitting a resolution of transfer for Council's appropriate consideration and action

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

TABLED ITEMS

A. BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

Act-15-91, 517 Jason Court

By Councilmember Lilly

To remove this item from the table for consideration

Carried unanimously

REFERRED BACK TO THE COMMITTEE ON PHYSICAL DEVELOPMENT AT THE REQUEST OF COUNCILMEMBER LILLY

MOTION OF EXCUSED ABSENCE

By Councilmember Lilly

To excuse Councilmember Beal and Council President Canady from tonight's meeting.

Carried unanimously

MAYOR'S COMMENTS

Mayor Crawford thanked everyone who participated in his open forum in Council Chambers on Saturday to accept suggestions and input on the restructuring of City Hall. He especially thanked the phone-in participants. He thanked Council Staff Karen Schmidt and Ron Onufer for their help and Dave Wilson and Paul Scott for giving up their Saturday to run the television cameras. This was a very productive meeting for the Mayor and the Administration. They hope to do this again several times during the year. He has had numerous requests that this tape be aired again, it will run again on Wednesday, February 17, at 10:00 A.M., and Friday, February 19, at 1:00 P.M. It is a four hour program.

COUNCILMEMBER'S COMMENTS

Councilmember Schmidt said that she watched most of the Mayor's Open Forum on Saturday. She was impressed that the Mayor had all the Department Heads with him. She thought some of the questions asked had merit and would like to hear the Mayor's response to them, specifically; giving department heads their own, independent budgets and allowing them to manage their departments the way they feel they should be managed. She hopes to see some of this transfer of leadership within the departments implemented; regarding the residency law for City employees, as the Charter was being written, there was strong opposition by the Fire and Police unions to a residency requirement. She is personally in favor of such a requirement. She is interested in the suggestion for reduced rates from the Board of Water & Light for senior citizens. She responded to the person who accused the City of not enforcing the Code of Ordinances and said you cannot set wholescale across the board solutions for the entire city. Each part of the City needs unique solutions to their individual problems. What works in one portion of the City may not work in another.

Mayor Crawford responded that the Department Heads appreciated the opportunity to be at this forum. This was a productive time to find out where people are coming from. Employees were not paid for this time. As they work to give department heads and key personnel more exposure this will allow people to see who they are working with. Regarding department heads gaining more control over their budgets and becoming more independent, this is the future of municipal government in this country. They are working to develop these kinds of policies.

Councilmember Ford said that he disagrees with the manner in which certain Councilmembers deal with things that come before Council. At some Committee of the Whole meetings they have time to deal with questions of individual Councilmembers, at others they do not. Sometimes the relevant questions become clearer to them with the perspective of time. The Council meeting is the perfect time to air these questions and it affords citizens the opportunity to hear discussion that goes on.

Councilmember Brockwell thanked Roy Bennett for correcting the Council's flag arrangement. The new arrangement complies with the United State Flag Code.

PUBLIC COMMENTS

William Bernstein of 420 Baker St. said that he has proof that his trial for disturbing a public assembly was rigged. He was fined $200.00 and given 18 months reporting probation for which he has to pay a $10.00 per visit charge.

Mary Haney of 1312 Roosevelt said she has never talked to Councilmember Ford, or, had any dealings with him. She challenged him to make a list of things he has done for the 4th ward and she will counter it with a list of things he has not done that he should have. She thinks Councilmember Lilly is a pretty nice guy, and since he is an At Large Councilmember, perhaps he could intervene on behalf of her ward. She requested additional time to finish her statements. By motion of Councilmember Lilly and affirmative vote of Councilmembers she was given 1 additional minute. She asked about Councilmember Beal making long distance phone calls and charging them to the city. Did she ever pay for these calls? Councilmember Belen answered "yes."

Councilmember Ford responded to her charges that he is not active, and has done nothing for her ward. He is very active in the 4th ward. He has participated in fund raisers for senior citizens, held task force meetings at Riddle School to deal with drug problems, held community meetings to deal with individual 4th Ward problems, and attended a number of neighborhood association meetings. He has never seen Ms. Haney at any of these meetings, nor has she asked him any questions in his entire term on City Council. He wants the public to know that he has been very active in his ward, he has been a guest speaker at nearly every elementary school in the City. He has performed in, or read books in, most of the schools in the 4th Ward.

Lloyd Teets of 116 E. Elm St. stated that he will be the next City Clerk. He informed Council that, starting next week, every time he gets up he is going to demand his time to speak. He demands fair play. It is highly insulting to the public when Council keeps interrupting them and arguing. The Elections Commission has decided that they are not going to canvass his nominating petitions.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Mark Eggleston of 4001 Heathgate asked Councilmember Benavides if he could get more salt out on Windward and Heathgate? It is now clear that there was a cover up by Council of who the retirement plan included. This is evidenced by the secret meetings and disappearance of minutes from the Clerk's Office.

Paget Maynard of 902 W. Shiawassee said that Mr. Bernstein is appealing to Council for help because he feels that justice has not been done. If justice does not appear to be done, then it has not been done. Mr. Bernstein does not see that justice has been done. Therefore, he has to come down here night after night to vent his feelings. Maybe Council cannot do anything to help Mr. Bernstein, maybe they just do not know what to do, so he (Maynard) will take it upon himself to offer an apology on behalf of the City of Lansing to Mr. Bernstein.

Councilmember Schmidt responded to Mr. Maynard's apology to Mr. Bernstein.

Lloyd Teets interrupted her explanation to insist on a point of order, this is not Councilmember Comment time, it is Public Comment time.

Council Vice-President Brockwell, Presiding Chair, requested that Mr. Teets take his seat. Mr. Teets refused repeatedly to comply with Vice-President Brockwell's requests. Vice President Brockwell then requested that the Sergeant at Arms remove Mr. Teets from Council Chambers.

Councilmember Schmidt completed her explanation of the events surrounding Mr. Bernstein's controversy with the Building Department. Mr. Bernstein applied to the Building Department for a permit to enlarge his restaurant. It was discovered that he had been operating a restaurant for five years in violation of the City Code. He refused to make the renovations necessary to put his building in compliance. She made repeated and lengthy attempts to help Mr. Bernstein, including accompanying him on visits to the Building Department, Fire Department, and Police Department. He refused to comply with the requirements that the rest of the restaurant owners in the City have to comply with. Eventually she instructed him to seek the advice of an attorney since all of her avenues of assistance were exhausted. Mr. Bernstein later told her that he had spoken with two attorneys about his case and they both refused to help him. She has kept a schedule of her attempts to resolve Mr. Bernstein's problem and can document the time she has spent on this. She felt compelled to make this explanation because of the attacks on her week after week.

Art Dudley of 300 N. Washington Square addressed Council on behalf of the Urban League and asked for Council's support for grant funds for the League.

Tim Lewis of 500 S. Pine requested that the time for Public Comments be increased to 5 minutes per speaker. That is how long Councilmember Schmidt took with her explanation about Bernstein. She did this during public time. It is too bad Council does not represent the public instead of themselves. He commended City Clerk, Marilynn Slade for straightening out the voter registration snafu he recently found himself in. He had a problem getting his birth date put on his card. He blames this all on Jim Blair, the prior City Clerk, who took the early retirement offer.

Harold Leeman of 529 N. Francis asked for a response from Mayor Crawford to his questions regarding the longevity checks issued to retirees earlier this month. Why did some retirees receive their checks in 1992 and some in 1993? Regarding the recently reported grievance involving a city employee who alleged that the City Treasurer forced her to submit fraudulent time cards reporting overtime worked on Sundays as overtime worked on Saturdays, will he look into this situation? He got a call saying that a repair crew was out patching the road on Walnut Street in the middle of the night. He asked about Lansing Convention Task Force appointments that were supposed to be made in December and have not been made yet. He accused Mayor Crawford of recycling appointments and said this makes him look more and more like Terry McKane Jr. to the public. The Lansing Center and the Civic Arena recieve a 40% subsidy from the City. He asked what fiscal year the Board of Water & Light's audit was for. How much will the ratification of the Fire fighters contract cost?

Mayor Crawford responded to Mr. Leeman's questions; Internal Affairs found no misbehavior by Mr. Goodin. They found that there was no wrongdoing, and because of this, no action was taken by his office. Regarding the Walnut St. question they have a night crew on duty in case they need to do salting. When there is no need for salting they are kept busy with other jobs, like filling in pot holes.

Douglas Fairbanks of 1077 Lansing defended Councilmember Schmidt, and commended Councilmembers Ford, Belen, Brockwell, Mayor Crawford, and the City Attorney. He said the Lansing Center is coming along just fine and public restrooms should be available to everyone.

Del Maynard of 2017 Culver said that he has been in business in Lansing in the past. The primary reason he is not in business in this city any longer are the regulations against business owners. Council should look into reviewing the requirements that place unreasonable burdens on commerce in Lansing. Businesses are leaving town because of oppressive regulations by the City.

ADJOURNED

MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, February 22, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
February 22, 1993

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Canady

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Benavides

CONSIDERATION OF LATE ITEMS

By Councilmember Belen

To accept the following under suspension of the rules:

1/ From Councilmember Belen Claim of Charles Green

2/ From Councilmember Schmidt letter from William Brenke resigning from the Board of Review

3/ From Councilmember Benavides 3 letters from Mayor Crawford appointing members to the Board of Review

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. In consideration of an Amendment to Chapter 1063, Recyclable Materials, Providing for On-Site Collection by Owners of Multifamily Dwellings Containing Five Units or More; the Storage of Recyclable Materials in Containers which, if possible, are not visible from the Street and Changing the Expiration Date of Waste Hauler Licenses to April 30, of each year

William Hubbell of 1003 W. Cavanaugh spoke in support of this ordinance. The beginning enforcement date of June 1, 1993 is a little late, but can be lived with. Under this ordinance, owners will have three ways of providing for on-site collection. He noted that the ordinance calls for the Public Service Department to develop more specific requirements, and asked if that would mean more public hearings? He suggested that Council make some type of correction regarding the expiration of licenses of Waste haulers. This ordinance would extend their 1992 licenses to 1994.

Lloyd Teets of 116 E. Elm spoke in support of the ordinance for on site recycling. It took a long time to get it prepared. Voters approved this at the polls in 1990 and it became effective for single family homes in November 1991. The next time people vote something in it should not take 1½ years for City Council to implement it. The ordinance for single family homes is very labor intensive and he is glad to see that Council did not impose the same burden on apartment owners.

Douglas Fairbanks of 107 Seventh congratulated Council for developing this ordinance. Now we can get on to bigger and better things for the City.

Robert Trezise of 734 Fred St. supported this ordinance. He is not happy with the time it has taken, but it is a fair ordinance. This will set the City of Lansing apart. All other cities will look at Lansing and admire and imitate us. This should attract tenants to Lansing. He moved here because we had mandatory recycling.

Louis M. Monticello, Executive Director of Lansing Housing Association said they also support this ordinance. It was great to see the way this was hammered out.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

PUBLIC COMMENT

Ken Vaughan of 114 Garden St. spoke in opposition to the city charging fees. This is a tax operated system and it is wrong to ask people to pay a fee to access it. He asked for a list of recyclable materials that the city does not pickup. He keeps putting things out in his green container and having them returned because the city does not collect them.

Shirly Murray of 1720 Bradley spoke in support of the acquisition of property at 222 W. Barnes Ave. She is President of the South Central Neighborhood Organization, and supported this resolution on their behalf. She asked for Council's support in getting the property at 125 W. Moores River Drive demolished. It is difficult for the Organization to support the demolition of residential property, however, in this case, the house is currently red tagged for the upstairs unit. Furthermore, this area is the source of most of the problems in their neighborhood in terms of prostitution and drug sales. Demolition of this property could eliminate the need for the alley in that area. Alan Tubbs suggested to them that they request more demolitions in this neighborhood because of the density.

Councilmember Lilly said that this item should not be scheduled for action on the agenda. These committees agreed not to take action on this property tonight.

Councilmember Ford suggested that people who are here to speak on 125 W. Moores River Dr. be allowed to do so, because, it is scheduled on the agenda for action.

Donna Collins of 225 Moores River Drive agreed with the report given by Mrs. Murray. She asked if Council is taking action when they approve a Committee Report? Council President Canady replied that Council must adopt a resolution in order to take action. Mrs. Collins spoke in support of the acquisition of property at 226 W. Barnes Ave. She quoted from a letter written by the Planning Director in December of 1992 regarding both of these properties. Many properties in the SCNO area are targeted for demolition in their five year housing plan for the area. Lots in this area are about the size of Council Chambers. SCNO is attempting to reduce the density in their neighborhood. The main goal of the Community

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Development Block Grant Program is to reduce slums and blight. The major cause of slums and blight is density. When will the Committee on Public Service take up the issue of 125 Moores River Drive?

Councilmember Lilly said that Physical Development had no problem with this issue, they agreed to hold it up until Ways and Means could take a look at it. They have no objection to what the neighborhood wants to do with this.

Councilmember Schmidt directed her questions to the Administration. The City should take another look at the 222 W. Barnes Ave. property for acquisition. The State Equalized Value is $24,000, which makes the fair market value $48,000. The Interim Finance Director has suggested that the City purchase this property and initiate a renovation project for an amount not to exceed $73,000. This is higher than the property is currently valued at, in addition, it needs $12,000 to $13,000 in renovations. She wants this item to be pulled and returned to the Committee so that they can gather further information. This is not the best spending policy even if you are talking about federal money. This money can be spent on another project. Mrs. Collins informed Councilmember Schmidt that this property has had a collapsed sewer for a year. There is no way this property should be worth $73,000.

Myra Ford of 4017 Woodcreek said she is opposed to any rezoning of property at the corner of Glenburne and Waverly Road. The City Council should look more carefully at what is happening to rezoning of residential property in the city. This property is part of the Waverly Road corridor. There has been a tremendous increase in traffic along this corridor. There are no sidewalks for foot traffic, no bike paths on the side of the road. Businesses in this area have been robbed several times. There has been a robbery and a rape already in 1993.

Mark Eggleston of 4001 Heathgate speaking on behalf of the Lansing/Eaton County Neighborhood Organization (LENO) thanked Council for denying the rezoning request at the NW corner of Waverly and Glenburne Blvd. Development in this area might be noxious to the residents. The value of residential property would go down. An office building would not be compatible with the master plan. He asked Council to put a 1-2 year freeze on non-residential development in residential areas. There is plenty of office space for lease in this area, especially in Colonial Village.

Richard Collins of 225 Moores River Drive asked Councilmember Schmidt if the $73,000 figure she mentioned in regards to 222 W. Barnes Ave. included the amount to be spent on rehabilitation of the property? Councilmember Schmidt answered "yes". Mr. Collins pointed out that this cost would be passed on to the buyer. Councilmember Benavides said that the problem is that the asking price is higher than the SEV. They are asking $59,500. Mr. Collins said there is no way this property is worth that amount of money. Councilmember Benavides said that he is going to pull this item and return it to Committee for further study.

Candy Melvin, resident of Glenburne Subdivision said she is opposed to the Z-02-92 request that has been in front of Council for many months.

William Brenke of 711 Lilac asked President Canady to read his letter of resignation into the record

February 22, 1993

Honorable Mayor James A. Crawford

City of Lansing
9th Floor, City Hall
Lansing, MI 48933

Dear Mayor Crawford:

I have enjoyed serving on the Board of Review over the past 19 years and I regret to inform you that I must resign from the Board due to conditions beyond my control.

I have enjoyed working with the other board members and the city assessors staff and the experience working with the public.

Thank you for giving me the opportunity to serve the City of Lansing and the public.

Sincerely,
William A. Brenke, Lansing Board of Review Member

cc: Council President Mark H. Canady
Ellen Moore, Chairperson, Board of Review

Mr. Brenke said it was very difficult for him to resign from this Board. He has lived in Lansing for 75 years. He warned that this year will see the biggest influx of appeals to the Board of Review that the City of Lansing has ever experienced. The City has recently increased the membership on the Board of Review to Six Public Members. This means that the board can form two 3 member boards. If even one member of a 3 member board is missing, it will mean big trouble. By motion of Councilmember Schmidt and unanimous vote of Council, Mr. Brenke was granted additional speaking time. In approximately one week everyone is going to receive their assessments, and most people will see increases. Some people will see as much as an 11% increase. The Board of Review is bound by State Statute. The State sets the statutes for the Assessor's Office and the Assessor must collect this tax accordingly, or the entire City will be penalized. He appealed to the new members of the Board of Review to remember that these people filing appeals need help. He is resigning tonight with pride in his service on this Board, and he will be available to help any of the new members who need his help. He thanked his friends in the community and his family for their support over the years.

At the conclusion of Mr. Brenke's address, Councilmembers and the audience accorded him a standing ovation at the request of Councilmember Schmidt.

Lloyd Teets of 116 E. Elm St. commended Mr. Brenke for his address and said the people of the city miss having someone of his caliber on City Council. He approved of the denial of Z-02-92 and said it is time that Council started listening to the citizens. He stated that he will not be attending the televised meetings of the General Services Committee when they discuss Council Rule #19. He asked that Council refer the letter from the Chairperson of the Election Commission to the Committee of the Whole.

Frank S. Curtis 'X' of 1137 W. Allegan said Council is in trouble with Rule #19. He will cause problems with Council over this rule because they frightened his children last year when they had him arrested under this rule.

Paget Maynard of 902 W. Shiawassee said that he recently protested Lansing Police Officers searching young black men just because of their race, however, the Lansing Police Department also provides good services to the community. He believes that there are more good Officers than bad, and that even the bad ones do more good than bad. He congratulated the Police Department

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

on the occasion of their 100th birthday, and Sexton High Sohool on their 50th birthday.

Tim Lewis of 500 S. Pine asked what time the televised meeting of the General Services Committee will begin. Councilmember Ford answered "6:00 P.M. here in Council Chambers". Mr. Lewis said that he would like to see the rules amended so that public comment precedes Councilmember Comment on the agenda.

Harold Leeman of 529 N. Francis posed the following questions: which Councilmember will be making the motion on the settlement of the MTT claim for Realmark?; will Council take action on appointments and reappointments tonight?; please explain the Rodgers claim; please explain Jason Court; please hold the purchase of equipment. Why not put the money back into the General Fund and wait for the budget process to talk about this?; did Clerk Blair spend all of the $2,000 from his Community and Promotions account? Please audit this account and the expenditure of $2,000 in less than 6 months.

Robert Trezise of 834 Fredd St. said that attending Sexton High School was a wonderful experience in his life. He thanked Doctor Carnegie.

Ellen Moore of 1620 Osband said that the Board of Review desperately needs the appointments to their Board to be approved by this week. They are supposed to have their first meeting next week and public hearings start two weeks from today. She thanked Councilmembers for honoring Mr. Brenke with a standing ovation, now they must replace him. If Council waits until next Monday to do so, it will make things very difficult for the Board of Review. Council President Canady assured Mrs. Moore that Council could call a special meeting at the Committee of the Whole meeting this week for the purpose of approving these appointments.

SPECIAL CEREMONIES

A. Councilmember Belen presented a resolution of tribute to Dr. Dale Carnegie for J.W. Sexton High School on the occasion of their 50th Birthday. Dr. Carnegie accepted the resolution and thanked Councilmember Belen and Council. The entire school, he said, is very appreciative of this award. He thanked the community, whose support has contributed to building this excellent school. Councilmember Ford will be speaking at their re-dedication ceremony this Thursday, February 24, 1993 at 7:30 P.M. Councilmembers Ford, Benavides, and Brockwell are all graduates of Sexton.

B. Frank Shannon Curtis 'X' read excerpts from "BEFORE FREEDOM", a book written by Belinda Hurmence containing oral histories of former slaves, to commemorate Black History Month. Mattie Curtis, Mr. Curtis X's great great grandmother, is mentioned in this book.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Canady

Carried unanimously

A. Letters from Harold Leeman regarding:

1. Questions about the Planning Department Interim Director

REFERRED TO THE MAYOR AND
THE COMMITTEE ON WAYS AND MEANS

2. Requesting Deliberation by the Elected Officers Compensation Commission regarding Early Retirement by Elected Officials

REFERRED TO THE ELECTED OFFICERS
COMPENSATION COMMISSION

3. Requesting that the Ways and Means Committee Receive a Written Response from City Attorney Knot Regarding the $3,500 allegedly paid by the City in Outside Legal Fees on the Local Term Limitation Issue

REFERRED TO THE CITY ATTORNEY AND
THE COMMITTEE ON WAYS AND MEANS

B. Notice from the Michigan Department of Natural Resources of application for a Permit to Construct in the Floodplain of the Red Cedar River, and requesting a response by February 25, 1993 regarding any objections on the part of the City of Lansing

REFERRED TO THE MAYOR

C. Letter from Lee Shunk of 601 Leslie St. regarding the proper form for redress of grievances

RECEIVED AND PLACED ON FILE

MAYOR MAY COMMENT

Mayor Crawford outlined his letters of appointment on tonight's agenda. He thanked William Brenke for his many years of dedicated service to the City of Lansing, and wished him well with the future and the health problems of his family. He thanked Council for approving the grants from MDOT for tennis court rehabilitation, and stated his support for the denial of the request for Z-02-92, NW Corner of Waverly Road and Glenburne Blvd.

CITY OFFICER AND BOARD REPORTS

A. Letter from City Clerk Regarding the Process Adopted by the Election Commission for the Method of Canvassing Petitions

REFERRED TO THE COMMITTEE OF THE WHOLE

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of February 15, 1993 for Review

RECEIVED AND PLACED ON FILE

C. **RESOLUTION #109**
February 18, 1993
Council President Canady and Councilmembers
10th Floor, City Hall
Lansing, MI 48933

Re: REALMARK CORPORATION v CITY OF LANSING RECOMMENDATION FOR SETTLEMENT OF PROPERTY TAX APPEAL DOCKET NO. 167028; 166716, AND 166901

Dear President Canady and Councilmembers:

The above matter involves three (3) separate property tax appeals filed by a single property owner. The properties on appeal consist of three (3) apartment complexes.

During the course of these appeals, relevant operating and expense information was obtained. After reviewing this information

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

a tentative proposed settlement was agreed upon. The particulars of this proposed settlement are as follows:

APARTMENT COMPLEX NO. 1

1991 Assessed Value	$1,421,100.00
1992 Assessed Value	$1,421,100.00
Petitioner's Requested Value	$1,256,500.00
Settlement Value	No Change
City Tax Refund	—0—
Tax year	1991 & 1992

APARTMENT COMPLEX NO. 2

1991 Assessed Value	$542,800.00
1992 Assessed Value	$531,300.00
Petitioner's Requested Value	$471,000.00
Settlement Value	No Change
City Tax Refund	—0—
Tax year	1991 & 1992

APARTMENT COMPLEX NO. 3

1991 Assessed Value	$3,061,100.00
1992 Assessed Value	$3,061,100.00
Petitioner's Requested Value	$1,951,000.00
Settlement Value	$2,300,000.00
City Tax Refund	13,243.14
Tax Year	1991 & 1992

As can be seen from the foregoing, the property owner is willing to withdraw his appeals relative to Apartment Complexes Nos. 1 and 2. The proposal, however, contemplates a reduction in the 1991 and 1992 assessments for Apartment Complex No. 3.

The reason for recommending a reduction in the value of Complex No. 3 is because of serious structural problems. These apartments were built in 1973 and are this areas only modular type constructed apartments, and have given rise to continued structural problems. Over the past few Years, it has not been unusual to find many of the units having orange stickers ordering the premises to be vacated and repaired. These apartments have been required by the building department to undergo extensive repairs such as fireplace removals, chimney replacement and construction of new balcony's. As a result, the income has dropped while the expenses have increased dramatically. When considering the actual income and expense problems existing within the development, the reduced value is appropriate.

It should be noted that this proposed settlement does not require any refunding of interest by the City nor a transfer of funds. Of further note is that the Mayor and Assessor's Office and the Ways and Means Committee concur in this recommendation. Accordingly, it is requested that this settlement be approved and that the City Attorney's Office be authorized to effectuate the same.

Please review this recommendation at your convenience and advise as to whether you concur. As always, if there are any questions, please feel free to contact me. Thank you for your attention to this matter.

Very truly yours,
Alvan P. Knot, City Attorney
By Councilmember Benavides

To accept the recommendations of the City Attorney

Carried unanimously

D. Letters from the Mayor re:

1/ Reappointment of John Decker to the Downtown Mall Advisory Board

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

2/ Reappointment of Terry D. Eagle to the Downtown Mall Advisory Board

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

3/ Appointment of Vernon C. Fountain to the Planning Board

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

4/ Appointment of Cinda Eltzroth to the Public Service Board

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

5/ Appointment of Manuel F. Delgado to the Public Service Board

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

6/ Appointment of Thomas Novakoski to the Board of Review (6th Public Member)

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

7/ Appointment of Kenneth D. Winter to the Board of Review (replacing Michael Delgado)

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

8/ Appointment of Henry L. Green to the Zoning Board of Appeals

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

9/ Appointment of Helen LeBlanc to the Board of Zoning Appeals as liaison with the Planning Board

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

10/ Appointment of Mary Clark and Charles E. Bicy to the Board of Zoning Appeals

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

11/ Resignation of Harry Smith from the City Market Committee

RECEIVED AND PLACED ON FILE

12/ Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

RESOLUTION #110

THE COMMITTEE ON GENERAL SERVICES, to whom was referred Council Rule 19 for review and amendment as may be necessary

REPORTS AS FOLLOWS: The Committee has scheduled a special evening meeting for 6:00 PM on Tuesday, March 9, 1993, in the City Council Chambers. This meeting will be televised on Cable Channel 28. The main purpose of the meeting will be to receive comments from our citizens regarding Rule 19, which governs public participation in Council meetings. Other related rules may also be discussed. Part of the time of this special meeting will be used to take calls from citizens watching at home. The Committee

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

will consider all public comment received as Rule 19 is examined for possible changes.

This report is for information only, and no Council action is required.

Signed: Charles Ford
Alfreda Schmidt
Robert Brockwell

BY COUNCILMEMBER FORD:

That the report of the Committee be received.

February 22, 1993

CARRIED UNANIMOUSLY

RESOLUTION #111
THE COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the report and recommendation from the Planning Board and the Mayor on ACT-41-92, Request to Vacate Public Alley between Irvington and Glendale Avenues,

REPORTS AS FOLLOWS: The Committee reviewed the Planning Board's recommendation to deny the request to vacate. The alley has a sanitary sewer line in the right-of-way and is used for access to the Board of Water and Light's overhead electric line. The Planning Board's review determined that the adjacent property owners would receive minimal benefit from vacation of the alley. Mayor Crawford has concurred in the Planning Board's recommendation. The Committee agrees, and recommends that the request to vacate be denied.

Signed: Richard J. Lilly, Chair
Mark H. Canady
Lucile E. Belen

BY COUNCILMEMBER LILLY:

That the report of the Committee be adopted.

CARRIED UNANIMOUSLY

RESOLUTION #112
THE COMMITTEE ON WAYS AND MEANS, to whom was presented three change of intent requests to purchase equipment not authorized by the City Council,

REPORTS AS FOLLOWS: The first request is to acquire seven IBM Laser Printers. Currently, there are 33 IBM XL24(E) dot matrix printers in use throughout the City that are increasingly unreliable due to age, and account for more maintenance calls than any other piece of PC equipment. One printer will be assigned to the Retirement Office, one to Income Tax, with the remaining five assigned on an as-needed basis. Funds are available in the Data Processing Repair and Maintenance Account as the cost of the PC maintenance contract was less than budgeted.

The second request is for the purchase of five new PC systems, including word processing software and printer for each PC, requested by the Mayor. Total cost is $8,875. The funding source will be identified by the Finance Department.

The third request is for the replacement of three vehicles, two 1986 Chevy Astro Vans and one 1969 Ford Bronco. The Bronco and one of the Astro Vans are utilized by the Fire Department. The second Astro Van is utilized by the Zoo. Age and disrepair necessitate the replacement of these vehicles. Replacement cost is $58,870. Funds are available as the result of favorable bids received on new Police Cars.

As these items were not identified for acquisition in the FY 92-93 Budget, standing policy requires Council approval prior to purchase. The Committee recommends approval of these requests by the City Council.

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

That the Report of the Committee be approved.

CARRIED UNANIMOUSLY

February 22, 1993.

RESOLUTION #113
THE COMMITTEE ON WAYS AND MEANS, to whom was referred the Mayor's letter withdrawing the previous Administration's recommendation regarding fees for ambulance services,

REPORTS AS FOLLOWS: The issue of ambulance fees is hereby formally remanded to the Administration.

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

That the Report of Committee be approved.

CARRIED UNANIMOUSLY

February 22, 1993.

RESOLUTION #114
THE COMMITTEE ON WAYS AND MEANS, to whom was referred the matter of a Community Promotion Account for the new City Clerk,

REPORTS AS FOLLOWS: The Committeee hereby authorizes the transfer of $850 for the purpose of creating a Community Promotions Account for the new City Clerk. The amount approved reflects pro-ration of the annual appropriation for the balance of FY 92-93. The funding source will be identified by the Administration.

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

That the Report of Committee be approved.

CARRIED UNANIMOUSLY

February 22, 1993.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

RESOLUTION #115

THE COMMITTEE ON WAYS AND MEANS, to whom was referred the proposed acquisition of property in the S. Central Neighborhood Area,

REPORTS AS FOLLOWS: The Committee has reviewed the Financial Impact Statement submitted in regard to the acquisition of property. The Committee approves the acquisition and rehabilitation of the property located at 222 Barnes. However, the Committee notes that as of January, 1993 the upper unit of the property located at 125 W. Moores River Drive was tagged substandard. The Committee will hold 125 W. Moores River Drive for one week in order to determine the extent of deterioration, and likelihood of rehabilitation.

The Committee also discussed the overall question of acquiring properties tagged as substandard for the purpose of demolition by the City. The Committee is concerned that the City not spend funds to acquire and demolish properties that could be ordered "made-safe or demolished" at the property owners expense. Accordingly, the Committee on Ways and Means refers this second issue to the Committee on Public Services for further review.

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

That the Report of the Committee be approved.

CARRIED UNANIMOUSLY

February 22, 1993.

RESOLUTIONS

RESOLUTION 116

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Michael Godfrey filed a claim against the City in the amount of $404.00 in protest of a billing for a title search and board-up by the City of his residential building at 112 Isbell Street; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the Claims Review Committee concurred with the staff recommendation and denied the claim; and

WHEREAS, the claimant appealed the denial to the City Council, and appeared before the General Services Committee, furnishing testimony in support of the claim; and

WHEREAS, under the particular circumstances of this situation, the Committee recommends that the City Administrative Charge of $190.00 be waived, reducing the claimant's billing for the title search and board-up to $214.00;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the recommendation of the Committee on General Services on the claim filed by Michael Godfrey, and reduces the claimant's billing for the title search and board-up of the residential property at 112 Isbell Street to $214.00; and

BE IT FURTHER RESOLVED the Clerk is requested to forward a copy of this resolution to the City Attorney for action; and

BE IT FURTHER RESOLVED the City Attorney is directed to make such billing change after appropriate releases are signed by the claimant; and

BE IT FINALLY RESOLVED that Resolution #659, adopted December 14, 1992, regarding this same claim, is hereby rescinded.

By Councilmember Ford
February 22, 1993

Carried unanimously

RESOLUTION #117

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Sheryl Zuk, a claims representative acting on behalf of Indiana Insurance Company, filed a claim against the City in the amount of $5,000.00 for reimbursement of the amount paid to Redi-Mix Inc. on an insurance claim due to a sewer back-up into the Redi-Mix Inc. office; and

WHEREAS, after investigation and analysis, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the claim and the legal recommendation were reviewed by the Committee on General Services; and

WHEREAS, representatives of the claimant appeared before the Committee, furnishing testimony in support of the claim; and

WHEREAS, under the particular circumstances of this situation, the Committee finds that the City is immune from liability and concurs in the Law Department's recommendation that the claim be denied;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the recommendation of the General Services Committee and denies the claim of Sheryl Zuk on behalf of Indiana Insurance Company; and

BE IT FURTHER RESOLVED the Clerk is requested to notify the claimant of this action.

February 22, 1993
By Councilmember Ford

Carried unanimously

RESOLUTION #118

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Claude C. Rodgers III filed a claim against the City in the amount of $13,437.00 as reimbursement for damages sustained as a result of a sewer back-up into the basement of his residential property loacted at 1508 West Kalamazoo Street; and

WHEREAS, after investigation and analysis, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the claim and the legal recommendation were reviewed by the Committee on General Services; and

WHEREAS, the claimant appeared before the Committee, furnishing testimony and evidence in support of the claim, which he

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

verbally revised to $800.00; and

WHEREAS, under the particular circumstances of this situation, the Committee finds that the City has no legal obligation to the claimant but recommends approval of the revised claim amount;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the claim of Claude C. Rodgers III in the amount of $800.00; and

BE IT FURTHER RESOLVED the Clerk is requested to forward a copy of this resolution to the City Attorney for action; and

BE IT FINALLY RESOLVED the City Attorney is directed to make payment of the approved amount after appropriate releases are signed by the claimant.

February 22, 1993

By Councilmember Ford

Adopted by the following vote

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Ford, Lilly, Schmidt

NAYS: Council President Canady

ABSENT: None

RESOLUTION #119
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the State of Michigan, Department of Natural Resources has awarded the City of Lansing grant funds for Replacement of Tennis Courts at Clifford Park (3) and St. Joseph Park (3); and

WHEREAS, the State will provide $97,500; and

WHEREAS, the local match of $32,500 will be available through the Park Millage; and

WHEREAS, the projects are listed in the five year Recreation Plan and Capitol Project list; and

WHEREAS, the City of Lansing accepts the terms of the grant agreement received from the Department of Natural Resources; and

WHEREAS, the City will maintain satisfactory financial accounts, documents and records and to make them available to the DNR for auditing at reasonable times; and

WHEREAS, the City of Lansing agrees to construct the projects and provide such funds and services and materials as may be necessary to satisfy the terms of said agreement although not specifically set forth in the resolution:

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby authorizes the executing of the agreements on behalf of the City of Lansing by the Mayor and City Clerk.

February 22, 1993

By Councilmember Lilly

Carried unanimously

RESOLUTION #120
ACT-15-91
517 Jason Court

WHEREAS, In, Resolution #420 of 1992, the City Council authorized the vacation and sale of Jason Court right of way, the South 20 feet, of Lot 42, P.H. Persons Addition, City of Lansing, Ingham County, Michigan to the owner of 517 Jason Court; and

WHEREAS, this action was taken to encourage the rehabilitation of the residential neighborhood, eliminating a negative living environment providing an opportunity for improved land use in the neighborhood; and

WHEREAS, in addition to the vacation and sale, an easement of the South 10 feet of this property was to be given to the owner of 518 Christiancy; and

WHEREAS, by operation of Michigan Law that applies to street vacations in this type of case, the contemplated transfer of the entire 20 foot street right of way width to the adjoining owner to the North (517 Jason Court) is not legal because under Michigan Law the vacated street is required to be split equally between the adjoining owners;

NOW THEREFORE, BE IT RESOLVED that the City of Lansing does hereby rescind Resolution #420 adopted July 30 1992, ACT-15-91.

BE IT FURTHER RESOLVED that the Lansing City Council hereby vacates the portion of Jason Court street right of way described as the North 10 feet of the South 20 feet, of Lot 42, R.H. Persons Addition, City of Lansing, Ingham County, Michigan Liber 215 Page 323, reserving, however, into the City of Lansing a permanent easement for public utilities under, across, above, and within the right of way of said vacated court, including the right of ingress and egress at all times for public and private utility agents and employees to use the vacated right of way, or so much of it as may be necessary, for the installation, maintenance, repair, access to, or removed of utilities.

BE IT FURTHER RESOLVED that the Lansing City Council does hereby preserve a public right of way with full rights of ingress, egress access over and across the South 10 feet, of Lot 42, R.H. Persons Addition.

BE IT FINALLY RESOLVED that the administration prepares and signs the appropriate transfer documents, and the City Clerk record, within thirty (30) days of the passage of this resolution, a certified copy of this resolution with the Ingham County Register of Deeds, and after recording, sends a recorded copy the State Department of Commerce.

By Councilmember Lilly

Carried unanimously

February 22, 1993

RESOLUTION #121
RESOLUTION BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the State of Michigan, Department of Natural Resources has awarded the City of Lansing grant funds for park improvements at Riverpoint Park; and

WHEREAS, these improvements include a shelter, landscaping, dock and ramp, play equipment, and other miscellaneous park amenities; and

WHEREAS, the State will provide $159,300; and

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

WHEREAS, the local match of $53,100 will be available through the Park Millage; and

WHEREAS, the City of Lansing accepts the terms of the grant agreement received from the Department of Natural Resources; and

WHEREAS, the City will maintain satisfactory financial accounts, documents and records and to make them available to the DNR for auditing at reasonable times; and

WHEREAS, the City of Lansing agrees to construct the projects and provide such funds and services and materials as may be necessary to satisfy the terms of said agreement although not specifically set forth in the resolution:

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby authorizes the executing of the agreements on behalf of the City of Lansing by the Mayor and City Clerk.

By Councilmember Lilly

Carried unanimously

Item XII C, Resolution by the Committee on Ways and Means and the Committee on Physical Development for Acquisition of property at 222 W. Barnes Ave., was pulled from the agenda at the request of Councilmember Benavides and returned to the Committee on Ways and Means for one week

RESOLUTION #122
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Department of Transportation (M.D.O.T.) is planning trunkline repairs to Saginaw Street between Westmoreland and Chicago for the upcoming construction season, and

WHEREAS, properties along this section of Saginaw Street have experienced basement flooding due to storm sewer runoff in excess of the capacity of the existing combined storm sewer, and

WHEREAS, this area is in need of increased storm sewer capacity, which is estimated to cost approximately $300,000, and

WHEREAS, while separation of combined sewers will be undertaken in this area in approximately the year 2008 costs related to increasing the capacity of existing sewers is not eligible for funding under the State Revolving Loan Program, and

WHEREAS, the size of much of the existing storm sewer exceeds the size which may be assessed to property owners under existing ordinance, and

WHEREAS, M.D.O.T has agreed to participate by incurring approximately $125,000 of the cost of enlarging the storm sewer on this corridor as part of its planned repair, and

WHEREAS, with M.D.O.T.'s participation the City's cost for the needed storm sewer enlargement would be reduced to approximately $175,000.

NOW THEREFORE BE IT RESOLVED that the City proceed with storm sewer enlargement along this section of Saginaw, in order to take advantage of approximately $125,000 in savings, due to State participation, and

BE IT FURTHER RESOLVED that City Council concurs with the Mayor's recommendation that $175,000 in previously appropriated Capital Projects funding be utilized to pay the City's share of this project.

By Councilmember Belen

To excuse Councilmember Ford from the vote on this item

Carried unanimously

By Councilmember Benavides

To excuse Councilmember Lilly from the vote on this item

Carried unanimously

By Councilmember Benavides

To place an affirmative roll on the resolution

Adopted by the following vote:

YEAS: 6

NAYS: 0

ABSTAIN: 2

RESOLUTIUON #123
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has submitted his recommendation on the fees for the 1993 Adult Baseball and Softball Leagues; and,

WHEREAS, the Committee has determined that given the substantial decline in team participation and resulting overall decrease in revenues, the Committee does not feel it is appropriate to increase fees for the upcoming year; and,

WHEREAS, it is the Committee's intent to not increase fees for the 1993 season in order to better ascertain the impact of increased fees on participation; and,

WHEREAS, the fees being recommended have been revised to reflect compliance with the rules and regulations contained in the Land and Water Conservation Fund Act provisions stating fees charged to non-residents cannot exceed twice that charged to residents.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the attached schedule of fees for Adult Baseball and Softball Leagues, to take effect March 1, 1993.

By Councilmember Brockwell

Carried unanimously

ADULT BASEBALL/SOFTBALL FEES
EFFECTIVE MARCH 1, 1992

	TEAM FEE	RESIDENT FEE	NON-RES. FEE	CAPITAL IMP.
SOFTBALL				
Fast Pitch				
24 games	$756	$12	$24	$5
18 games	$567	$ 9	$18	$5
Slow Pitch				
Two Umps				
24 games	$660	$12	$24	$5
20 games	$550	$10	$20	$5
18 games	$495	$ 9	$18	$5
16 games	$440	$ 8	$16	$5

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

	TEAM FEE	RESIDENT FEE	NON-RES. FEE	CAPITAL IMP.
One Umpire				
16 games	$344	$ 8	$16	$5
12 games	$258	$ 6	$12	$5
BASEBALL				
24 games	$894	$18	$36	—
16 games	$596	$12	$24	—

2/18/93

RESOLUTION #124
Z-2-92
Northwest Corner Waverly Road and Glenburne Boulevard

COMMITTEE OF THE WHOLE

WHEREAS John Boles has requested to rezone the property on the northwest corner of Glenburne Boulevard and Waverly Road from "A" Residential to "D-1" Professional Office District for the purpose of allowing the development of an office building on the site, and

WHEREAS the Lansing Planning Board held a public hearing on April 7, 1992 at which several people spoke in opposition and a petition containing 28 signatures also opposing the rezoning were submitted, and

WHEREAS the Lansing Planning Board at their meeting on Tuesday, April 21, 1992, voted to deny the rezoning of the property by a vote of six yeas and one nay, finding that office development is not compatible with the Southwest Master Plan and that the development of an office would disrupt the single family pattern along Limerick Circle and the north side of Glenburne Boulevard, and

WHEREAS the Physical Development Committee of Council, to whom this report was referred, sought outside verification as to the potential impacts of approving this rezoning request through a report from Gerald Leudtke and Associates, and

WHEREAS the Physical Development Committee received this report and recommended referral of the matter to the Committee of the Whole, and

WHEREAS the Committee of the Whole has reviewed the report of the Planning Board and the documentation of the outside consultant and concurs therein,

NOW THEREFORE BE IT RESOLVED that the Council of the City of Lansing deny the rezoning request by John Boles for the property located at the northwest corner of Waverly Road and Glenburne Boulevard, more particularly described as

Lots l, 2, 3, 4, 14, 15, and 16 of the Glenburne Subdivision, Section 36, T4N, R3W, City of Lansing, Eaton County, Michigan.

BY Councilmember Lilly

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Ford, Lilly, Schmidt

NAYS: Councilmember Canady

ABSENT: None

RESOLUTIUON #125

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, most Citizens of Lansing go about their daily business rarely giving thought to the dedicated men and women who have sworn to protect their lives and property; and

WHEREAS, around the clock, every day, for the past 100 years, the Lansing Police Department has patrolled our streets, dealing firmly and professionally with suspects, providing care and assistance to victims, reaching out with warmth and concern to lost and scared children, and reminding law-abiding Citizens that the police cannot do the whole job alone; and

WHEREAS, police work has grown much more complex in the last 100 years, and the people who choose this career are making a special commitment and assuming a special responsibility to the community they serve; and

WHEREAS, it is fitting, as we celebrate the 100th Anniversary of the founding of the Lansing Police Department, that we say "Thank You" to the men and women of LPD for their hard work and sacrifices on our behalf;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 22nd day of February, 1993, hereby commends present and past officers of the Lansing Police Department for their outstanding service to the People of the Capital City.

By Councilmember Brockwell

Carried unanimosuly

RESOLUTION #126
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, J.W. Sexton High School, named in honor of Dr. Jay W. Sexton, Superintendent of the Lansing School District, was dedicated on February 24, 1943, following the closing of Lansing Central High School; and

WHEREAS, the first principal at Sexton was Charles E. LeFurge, and he was followed by Christian H. Roosenraad (1943-1968), Joseph Rousseau (1968-1970), Dale E. Metts (1970-1980), and Dr. Clyde D. Carnegie, who became principal in 1980 and continues in this capacity today; and

WHEREAS, J.W. Sexton High School received the Francis Bellamy Flag Award in 1954, becoming only the 13th school in the country to be so recognized based on attention to American ideas in the school's education plan and on the records of outstanding graduates; and

WHEREAS, J.W. Sexton High School was the very first school in the United States to begin a training program to teach driving to disabled persons; and

WHEREAS, for the last 50 years, J.W. Sexton High School has been instrumental in weaving the very fabric of our community, helping 21,429 Big Reds make the journey to adulthood with a Sexton diploma as their passport;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 22nd day of February, 1993, hereby commends and congratulates Dr. Clyde Carnegie, his administra-

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

tion and faculty, the students and their families, and all Big Red alumni, on the occasion of the 50th Anniversary of J. W. Sexton High School.

By Councilmember Belen

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

BY COUNCILMEMBER LILLY:

That we move to passage of ordinances.

BY COUNCILMEMBER LILLY:

That Ordinances, when read, be considered as being read in their entirety.

BY COUNCILMEMBER LILLY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-09-91, 110 S. Clifford St. rezoning from "C" Residential District to "J" Parking District be placed on order of immediate passage.

BY COUNCILMEMBER LILLY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-09-91, 110 S. Clifford St. rezoning from "C" Residential District to J" Parking District be now passed.

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

NAYS: None

ABSENT: None

ORDINANCE #02354

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-9-91, 110 South Clifford Street

Parcel Number: 3301-15-401-241

Legal Description: The east 80.5 feet of Lot 4, Neller's Subdivision, City of Lansing, Ingham County, Michigan

From: "C" Residential District to "J" Parking District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

MARILYNN SLADE, CITY CLERK

CONSIDERATION OF LATE ITEMS

1 / From Councilmember Belen Claim of Charles Green

REFERRED TO THE CITY ATTORNEY AND THE COMMITTEE ON GENERAL SERVICES

2 / From Councilmember Schmidt letter from William Brenke resigning from the Board of Review

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

3/ From Councilmember Benavides 3 letters from Mayor Crawford appointing members to the Board of Review

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

MAYOR'S COMMENTS

Mayor Crawford announced that Friday at 11:00 A.M. in City Hall Lobby, the Police Department will kickoff the celebration of their 100 year anniversary. A charter amendment in 1893 created the first non-partisan Board of Police Commissioners. Today the Lansing Police Department boasts 261 Officers on the streets. He invited everyone to stop by on Friday to help celebrate this anniversary. On Tuesday, March 2, 1993 at the Foster Community Center will be the second Waste Prevention Workshop. Waste prevention materials and projects will be presented.

COUNCILMEMBER'S COMMENTS

Councilmember Beal asked about the status of snow removal. She received a call from Council staff this morning saying they were inundated with phone calls about road conditions. Please have Mr. Clegg address these concerns.

Robert Clegg, Interim Director of the Public Service Department, explained the scheduling of their crews. They completed the major trunk lines and were working on secondary streets when additional snow fell, forcing them to pull crews back onto the major trunk lines again. This snow accumulated over a long period of time and is still falling. They had to send crews home to get some rest and these crews will report back in at 11:00 P.M. tonight.

Councilmember Schmidt said she had a report from a family on Tinley St. that reported a snow plow truck with two employees in it sitting in front of their house for 20 minutes at 12:00 A.M. last night. She asked that the Public Service staff take a special look at the corner of Glenwood and Vernon. This is at the end of a hill and many people slide down it. There is seldom any sanding or salting done in this area.

Councilmember Ford said he received numerous phone calls regarding snow removal. He explained to the callers the necessity of priortizing street cleanup. He has received calls about the parking at the Lansing Center. Parking places have been disrupted because of the construction and people are having to park in the Ramps which is considerably more expensive. He suggested that some type of accommodation be made for them. Council President Canady and he both attended a retirement dinner for Doctor William H. Wilson last night. It was an excellent program and a fitting tribute.

Councilmember Brockwell said he knows that the Public Service

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Department really works hard and puts in a lot of overtime to have the major streets cleared first. He attended the Grady Porter dedication ceremony today. It was a fitting tribute to a wonderful man. The multi-family recycling ordinance is not that far behind schedule in his judgement. It was not supposed to become effective until November of 1992. They are only a few months late, and that is because of the controversy between tenants and apartment complex owners. He thanked his colleagues for their hard work and support on this project.

PUBLIC COMMENTS

William Bernstein of 420 Baker St. said that Councilmember Ford apologized to Mr. Curtis, but no one has apologized to him. Why? He claims it is because he is a Jew.

Millie Fox of 3529 Linley Circle said there are only two lots on the property at the corner of Waverly Rd. and Glenburne. There should be no problem with single family dwellings here. There are people living on Waverly Road all up and down the street. She said that the property owner's plans for the property were just too high for the property's ability to support.

Paget Maynard of 902 W. Shiawassee asked which rules of order Council operates under. President Canady stated that they follow Mason's Manual of Legislative Procedure, however, they adopt their own rules that give the Chairmen of Committees the ability to pull resolutions back into Committee. Mr. Maynard said he is running for the 4th Ward Council seat to allow the citizens of Lansing to enjoy a better standard of living so they will be more comfortable. He will make the city better for everyone. He thanked the 150 people who have already signed his nominating petitions.

Cindy Eby Board Member of the Community Services and Referral Center, said they are making a last ditch effort to keep the agency open. Everyone here knows about the problems they are having, she does not have to elaborate on them. They are doing very good work. There have been many accusations against them that are without evidence to support them. The South Central Neighborhood Organization is their biggest critic. It is hard for her to speak against this association. She admires their organization, and used to be a member of it. CSRC is about to close down. They opened their day-time resource center in 1986, with the approval of the City, to deal with the problem of the city's homeless hanging out in businesses downtown. President Canady asked Mayor Crawford to attend this Thursday's Committee of the Whole meeting, when they will discuss this issue.

James Lyons of 411 Bartlett reminded everyone that today is the 261st anniversary of the birth of George Washington, our first President. This should be of importance to every American citizen regardless of their ethnic background.

Susy Cook-Stark of 1147 S. Washington spoke in opposition to the request for funding by CSRC. They lost their funding because of their own behavior, not because of what the businesses in this area have said about them. This neighborhood is coming back.

Cindy Johnson of 217 Reo, Director of CSRC, said that they provide the only service that is extended to all homeless persons in Lansing. Where are these people going to go if they are closed? There is no point in trying to prove their innocence. They have not been proven guilty. With no documentation or proof, how can City Council, or the neighborhood expect them to deal with complaints. Maybe people do not like their clients, but that is their problem. Maybe these people need to be more open minded.

Lloyd Teets of 116 E. Elm St. said he lives by the CSRC and has had the displeasure of walking into that agency more than once. It is a total zoo. The people appearing here tonight have salaried jobs. The neighborhood and people of the community have given them plenty of time to clean up their act. They did not do so. He has seen all of these problems first hand. If this is a needed service, it should be turned over to someone who can provide it. When he is elected as the City Clerk, the City Attorney will not be telling him how many registered voters there are in the City of Lansing. The current Clerk has given up the job of the Chief Deputy City Clerk and will not canvass petitions for the first time in 40 years.

Eric Dunn of 2118 Grant St. said he disagrees with the drastic raise in softball fees in this city in the last few years. He does not believe that anyone on a softball team has trouble with umpires not showing up, or with the score keeping. The teams are moving outside the city and Council should do something to keep this sport alive in the City.

Shirley Murray of 1721 Bradley, President of the South Central Neighborhood Organization said her organization met with the members of the Board of the CSRC over two years ago when they moved in. They even had a neighborhood member on the board. Over a year ago, CSRC asked SCNO members to leave their board. There are the same prostitutes and drug dealers there today as were there two years ago. She agrees that a service is needed, but, does not think the CSRC is capable of delivering it. Even if the house at 226 W. Barnes costs $73,000 to purchase and renovate, it will be money well spent. The 100 block of Barnes is almost totally renter occupied.

Richard Collins of 225 W. Barnes Ave. thanked Councilmember Brockwell for his comments on behalf of the SCNO neighborhood. These two properties would not cost more than $100,000. The City has $7,000,000 to spend on another neighborhood but, cannot spend $100,000 on theirs. Maybe they should allocate these funds separately so that CDBG money is split up evenly around the City.

Pauline Johnson-West of 525 W. Shiawassee, Vice President of the Board of the CSRC, said that some people seen in their center that were thought to be prostitutes were sent to their center to do Community Service work. They provide the means for these people to perform community services. Any neighborhood they locate this center in will object. She asked Mayor Crawford what neighborhood they can go into where people are not going to ask for his help against them. They welcome representation from the neighborhood group on their board. This is a different board than it used to be, they want to work with the neighborhood. Whatever comes out of their meeting on Thursday, they are willing to do what they can to make sure things are being dealt with in the proper way. She thanked Councilmembers Schmidt and Canady for being commissioners on the Pop Warner league.

Maria Haskel Sturdevant of 1412 Linval said that three years ago she moved back into this state. She knew no one. The CSRC worked with her and helped her get her life back on track. She will be able to go to work as a medical assistant in three weeks thanks to their help.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Tim Lewis of 500 S. Pine spoke in favor or re-writing rule #19. This is a double sided rule, he said.

Gary Andrews of 560 Brookland Blvd. asked what the new blinking tower in the Riverpoint area is. You can see it when driving down Cedar St. He complimented the new police cars for their striking logo and asked who was responsible for it. Councilmember Brockwell told him that Chief Boles arranged for the logo on the new police cars at a savings to the city. There is a lot of work going on at the REO site, he said, and he would like to know what is happening, he had thought that the cleanup at that site was complete. What happened to the plans to commemorate the historic significance of the site by erecting a plaque. Councilmember Belen said that when Lansing Sanitary Supply began their construction at the old REO site they found water. The city received an additional grant to clean this up. She told Mr. Andrews that she would look into the plans to commemorate the site.

Harold Leeman of 529 N. Francis asked Mayor Crawford to respond to his questions regarding employees who received their severance pay in February and those who received severance pay in December. What is happening with the Lansing Center appointments? He criticized the purchase of vehicles at this time, calling it bad fiscal policy. Regarding the misspent funds of Jim Blair, he is sure he can find problems with what this money was spent on. He asked Council to ask questions about the Board of Directors of the CSRC. He thanked Mr. Lyons for his tribute to George Washington. Mayor Crawford informed Mr. Leeman that Federal guidelines require the payment of severance pay to take place the pay period following the last pay period worked by the employee.

Bill Brenke said he was encouraged to see Council laugh and smile tonight. He suggested that members of the Board of Review be selected from the State Legislature so that they have to deal with the results of their actions.

Douglas Fairbanks of 107 Seventh said that people need good boots to get through weather like this. He asked if Lansing has ever used sidewalk plows like other cities do.

ADJOURNED 11:20

MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, March 1, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
March 1, 1993

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Canady

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Lilly

READING AND APPROVAL OF PRINTED COUNCIL PROCEEDINGS

By Councilmember Schmidt

To approve the Printed Council Proceedings for January 25, 1993 and February 1, 1993

Carried unanimously

CONSIDERATION OF LATE ITEMS

There were no Late Items for Consideration

SCHEDULED PUBLIC HEARINGS

There were no Scheduled Public Hearings

PUBLIC COMMENT

Lloyd Teets of 116 E. Elm St. expressed his concern about the appointments to the Board of Review, more specifically, the way in which Council increased the membership on the Board of Review. This was an amendment to the Charter. Council did not take it to a vote of the people. What authority did they have to increase the membership on this board. Please have City Attorney Knot respond.

Harold Leeman of 529 N. Francis asked Councilmember Ford to explain what happened with the claim of Adams Outdoor Advertising, and Demmer Machine Co. If the blame for this is going to be put on the Mayor and the Clerk, Council should say so. Regarding the Sparrow Hospital property on S. Eighth St., a lot of money was put into these houses several years ago. He believes that if someone is going to put money into rehabilitating houses they should be sincere and keep them. Now these houses will be torn down to build a parking lot. This was just a waste of money.

Sue Eby of 801 Durant spoke in support of Draft #7 of the recycling ordinance for multifamily dwellings. The people appreciate Council's efforts to get on-site recycling implemented on a weekly pickup basis.

Blagoy Pogoncheff of 1509 E. Grand River asked if the appointments to the Board of Zoning Appeals are reappointments of people who were already on this board, or are they new appointments? Councilmember Lilly responded that Mary Clark is being transferred from a ward member to an at large member, but, the other three appointments are new ones.

Councilmember Schmidt asked City Attorney Knot to answer Mr. Teets questions about how Council changed the membership on the Board of Review. Mr. Knot explained that state law allows for increases to the Board of Review. The change is limited by law to an increase to 3, 6, or 9 members on this Board.

SPECIAL CEREMONIES

There were no Special Ceremonies

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Canady

Carried unanimously

1. Letter from the National League of Cities regarding the NLC Capital Cities Caucus Sunday, March 7, 1993 in Washington, D.C.

REFERRED TO THE MAYOR AND
THE COMMITTEE OF THE WHOLE

2. Notice from the Public Service Commission of a hearing for Customers of Consumers Power Company on Wednesday, March 10, 1993

RECEIVED AND PLACED ON FILE

3. Letter from Champagne-Webber Inc. regarding their intent to comply with the noise ordinance during reconstruction on two bridges over I-496

REFERRED TO THE MAYOR

MAYOR MAY COMMENT

Bob Clegg, Interim Director of the Public Service Department reported that Mr. Boyd had been called away, but, had no comments on Mayor Crawford's letters.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. APPROVALS:

Request for New Outdoor Service in Conjunction with a 1992 Class C License (1)

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

B. Information-only Items from the City Clerk:

1. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of February 22,

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

1993 for Review

RECEIVED AND PLACED ON FILE

2. Notice from the City Clerk of Expirations on City Boards in 1993

REFERRED TO THE MAYOR

C. Letters from the Mayor re:

1. Financial Impact Study—Michigan Justice Training Grant

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

2. DNR Grant Applications for City Parks

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES AND THE COMMITTEE ON WAYS AND MEANS

3. Parking Regulation Change Request, Washington Avenue

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

4. Traffic Control Request, Holiday Lane and Melody Lane

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

5. Transfer of Funds (3)

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

6. Resolution Authorizing the Issuance and Sale of SRF Loan Bonds for the CSO Project

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

RESOLUTION #127
Z-5-92
118, 122, 124-126 North Eighth Street

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of the rezoning petition Z-5-92—118, 122, 124-126 North Eighth Street to be rezoned from "DM-3" Residential District to "J" Parking District

REPORTS AS FOLLOWS:

That said rezoning be approved.

SIGNED: RICK LILLY
Lucile Belen
Mark H. Canady
COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Lilly:

Carried unanimously

RESOLUTION #128
THE COMMITTEE ON PUBLIC SERVICES, to whom was referred an Ordinance to amend Chapter 1063 of the Code of Ordinances of the City of Lansing, Michigan for the purpose of providing on-site collection of recyclable materials by owners of multifamily dwellings containing five units or more; the storage of recyclable materials in containers which, if possible, are not visible from the street; and to change the expiration date of Waste Hauler Licenses to April 30 of each year,

REPORTS AS FOLLOWS: The Committee recommends that said Ordinance be adopted.

SIGNED: Bob Brockwell
Tony Benavides
Alfreda Schmidt
Committee on Public Services

BY COUNCILMEMBER BROCKWELL:

That the Report of Committee be received.

CARRIED UNANIMOUSLY

March 1, 1993.

RESOLUTIONS

RESOLUTION #129
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Adams Outdoor Advertising and Demmer Engineering and Machine Company have filed claims against the City seeking $9,859.27 and $7,914.84, respectively, for attorney fees related to a suit filed by the City against Adams; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the claimants appeared before the General Services Committee, alleging that the City's suit was frivolous, and that they have incurred legal expenses defending their legal positions; and

WHEREAS, the Committee determined that the City's lawsuit was not frivolous in that the City had reason to believe that a billboard owned by Adams was located within the public right-of-way, in that Adams refused to remove its billboard upon the City's request, in that the City had an arguable case against Adams, as supported by the City's expert, but that there was a flaw in the easement legal description contained in a pertinent Council resolution adopted May 12, 1986, causing the judge to grant summary disposition to Adams; and

WHEREAS, although the Committee recognizes that the City has no legal obligation to pay these claims, the Committee recommends that under these particular circumstances, the City should offer to settle by paying each claimant one-quarter of the attorney fees requested;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with the recommendation of the Committee on General Services to offer to settle the claim of Adams Outdoor Advertising for the amount of $2,464.82 and the claim of Demmer Engineering and Machine Company in the amount of $1,978.71; and

BE IT FURTHER RESOLVED the City Attorney is requested to notify the claimants of this action; and

BE IT FURTHER RESOLVED if the claimants do not contact the City Attorney to indicate acceptance of this offer by 5:00 PM on Friday, March 19, 1993, these claims shall be considered denied.

By Councilmember Belen To excuse Council President Canady from the vote on this item, as his law firm represents Demmer

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Engineering

Carried unanimously

BY COUNCILMEMBER FORD:

That the resolution be adopted and sent to the City Attorney for follow-up action.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Beal, Belen, Benavides, Ford, Lilly, Schmidt

NAYS: Councilmember Brockwell

ABSTAIN: Council President Canady

March 1, 1993

RESOLUTION #130
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Mary Clark, currently serving as an At-Large Member, to fill the First Ward vacancy on the Board of Zoning Appeals, for a term to expire June 30, 1993, is hereby confirmed.

By Councilmember Lilly

Carried unanimously

RESOLUTION #131
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Henry L. Green to fill the Third Ward vacancy on the Board of Zoning Appeals, for a term to expire June 30, 1995, is hereby confirmed.

By Councilmember Lilly

Carried unanimously

RESOLUTION #132
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Charles E. Bicy to fill an At-Large vacancy on the Board of Zoning Appeals, replacing Mary Clark, for a term to expire June 30, 1993, is hereby confirmed.

By Councilmember Lilly

Carried unanimously

RESOLUTION #133
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Helen LeBlanc to fill an At-Large vacancy on the Board of Zoning Appeals, replacing Floyd Wright as the Planning Board's liaison to the BZA, for a term to expire June 30, 1995, is hereby confirmed.

By Councilmember Lilly

Carried unanimously

RESOLUTION #134
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Cinda Eltzroth to fill a Second Ward vacancy on the Public Service Board, replacing Robert J. Walker, for a term to expire June 30, 1994, is hereby confirmed.

By Councilmember Lilly

Carried unanimously

RESOLUTION #135
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Manuel Delgado to fill a Second Ward vacancy on the Public Service Board, replacing James A. Tate, for a term to expire June 30, 1995, is hereby confirmed.

By Councilmember Lilly

Carried unanimously

RESOLUTION #136
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Vernon C. Fountain to fill an At-Large vacancy on the Planning Board, replacing Floyd Wright, for a term to expire June 30, 1994, is hereby confirmed.

By Councilmember Lilly

Carried unanimously

RESOLUTION #137
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfer be approved:

$500 from Park Exp. Trust-Fund Balance
A/C 713-000000-390001-0

500 to Park Exp. Trust-Budget Control
A/C 713-833890-992200-0

(Replacement of rose plants at Frances Park, from Frances Park Trust. To memo account 713-833890-741050-0.)

By Councilmember Benavides

Carried unanimously

RESOLUTION #138
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's recommendation to appoint Gayle Valentine to the Board of Review, term to expire June 30, 1993, is hereby approved.

March 1, 1993.

By Councilmember Benavides

Carried unanimously

RESOLUTION #139
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's recommendation to appoint Kenneth D. Winter to the Board of Review, term to expire June 30, 1995, is hereby

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

approved.

March 1, 1993.

By Councilmember Benavides ,

Carried unanimously

RESOLUTION #140
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's recommendation to appoint Thomas Novakoski Jr. to the Board of Review, term to expire June 30, 1994, is hereby approved.

March 1, 1993.

By Councilmember Benavides

Carried unanimously

RESOLUTION #141
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Dr. Alexa I. Canady will be the keynote speaker at Delta Sigma Theta's local Founder's Day program on health care Saturday, March 6, 1993; and

WHEREAS, Alexa Canady is the daughter of Hortense and Clinton Canady Jr., DDS, and was honored in 1991 as an outstanding alumna of Lansing Everett High School, Class of 1967; and

WHEREAS, after earning her bachelor of science and doctor of medicine degrees from the University of Michigan, Dr. Canady trained in surgery at the Yale University School of Medicine; and

WHEREAS, Dr. Canady then specialized in neurosurgery with training at the University of Minnesota Hospitals, after which she completed a fellowship in pediatric neurosurgery at the Children's Hospital of Philadelphia; and

WHEREAS, Dr. Canady is now the Chief of Neurosurgery at the Children's Hospital of Michigan in Detroit, and she has authored 27 articles on pediatric neurosurgery, in addition to numerous presentations to professional and community groups;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 1st day of March, 1993, hereby extends a warm "Welcome Home" to ALEXA I. CANADY, M.D., and wishes her continued success in her outstanding medical career.

By Councilmember Belen

Carried unanimously

ORDINANCES FOR INTRODUCTION

There are no Ordinances for Introduction

ORDINANCES FOR PASSAGE

BY COUNCILMEMBER LILLY:

That we move to passage of ordinances.

BY COUNCILMEMBER LILLY:

That Ordinances, when read, be considered as being read in their entirety.

BY COUNCILMEMBER LILLY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-05-92, 118, 122, & 124-126 N. Eighth St. rezoning from "DM-3" Residential District to "J" Parking District be placed on order of immediate passage.

BY COUNCILMEMBER LILLY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-05-92, 118, 122, & 124-126 N. Eighth St. rezoning from "DM-3" Residential District to "J" Parking District be now passed.

By Councilmember Lilly

To excuse Council President Canady from the vote on this item

Carried unanimously

By Councilmember Lilly

That the rezoning be approved

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Ford, Lilly, Schmidt

NAYS: None

ABSTAIN: Council President Canady

ORDINANCE #02355
AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-5-92, 118, 122, 124-126 North Eighth Street

Parcel Numbers: 3301-15-156-001, 3301-15-156-011, 3301-15-156-021

Legal Description: Lot 10, Block 2, Jerome's Addition, City of Lansing, Ingham County, Michigan from "DM-3" Residential District to "J" Parking District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

MARILYNN SLADE, CITY CLERK

By Councilmember Brockwell:

That we proceed to the passage of Ordinances.

By Councilmember Brockwell:

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

That the Ordinance when read be considered as read in its entirety.

BY THE COMMITTEE ON PUBLIC SERVICES

By Councilmember Brockwell:

Resolved by the City Council of the City of Lansing that an Ordinance providing for an amendment to the Code of Ordinances, City of Lansing, Michigan, To Amend Chapter 1063, Sections 1063.03, 1063.06, and 1063.10 Of The Code For The Purpose Of Providing For The On-Site Collection Of Recyclable Materials By Owners Of Multifamily Dwellings Containing Five Units Or More; The Storing Of Recyclable Materials In Containers Which, If Possible, Are Not Visible From The Street; And To Change The Expiration Date Of Waste Hauler Licenses To April 30, Of Each Year, be placed on order of immediate passage.

BY THE COMMITTEE ON PUBLIC SERVICES

By Councilmember Brockwell:

Resolved by the City Council of the City of Lansing that an Ordinance providing for an amendment to the Code of Ordinances, City of Lansing, Michigan, To Amend Chapter 1063, Sections 1063.03, 1063.06, and 1063.10 Of The Code For The Purpose Of Providing For The On-Site Collection Of Recyclable Materials By Owners Of Multifamily Dwellings Containing Five Units Or More; The Storing Of Recyclable Materials In Containers Which, If Possible, Are Not Visible From The Street; And To Change The Expiration Date Of Waste Hauler Licenses To April 30, Of Each Year, be now passed

By Councilmember Brockwell

To accept Draft #7 as a substitute for the draft contained in the Packet of this ordinance, and that the ordinance be now passed.

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

NAYS: None

ABSENT: None

ORDINANCE NO. 859

AN ORDINANCE TO AMEND CHAPTER 1063 OF THE CODE OF THE CITY OF LANSING BY AMENDING SECTIONS 1063.03, 1063.06 and 1063.10 TO PROVIDE FOR THE ON-SITE COLLECTION OF RECYCLABLE MATERIALS BY OWNERS OF MULTIFAMILY DWELLINGS CONTAINING FIVE UNITS OR MORE; THE STORING OF RECYCLABLE MATERIALS IN CONTAINERS WHICH, IF POSSIBLE, ARE NOT VISIBLE FROM THE STREET; AND TO CHANGE THE EXPIRATION DATE OF WASTE HAULER LICENSES TO APRIL 30 OF EACH YEAR.

The City of Lansing ordains:

Section 1. That Section 1063.03, 1063.06 AND 1063.10 of the Codified Ordinances of the City of Lansing, Michigan, be amended to read as follows:

1063.03 MANDATORY RECYCLING; ANTI-SCAVENGING; SEPARATION OF RECYCLABLE MATERIALS AND YARD WASTE FROM SOLID WASTE.

(a) Commencing November 15, 1991, all persons who are owners, lessees or occupants of a residential site of generation shall separate recyclable materials and yard waste from solid waste and prepare the recyclable materials and yard waste for recycling.

(b) Commencing November 15, 1992, all owners, lessees or occupants of multifamily dwellings containing five units or more shall separate recyclable materials and yard waste from solid waste and prepare the recyclable materials and yard waste for recycling.

OWNERS OF MULTIFAMILY DWELLINGS CONTAINING FIVE UNITS OR MORE SHALL PROVIDE THE RESIDENTS AT EACH SUCH PROPERTY WITH CONVENIENT, ON-SITE COLLECTION OF RECYCLABLE MATERIALS ON OR BEFORE JUNE 1, 1993. SUCH COLLECTION SHALL, BE AS CONVENIENT TO TENANTS, OR RESIDENTS AS ARE EXISTING SOLID WASTE COLLECTION SERVICES, AND SHALL CONSIST OF AT LEAST ONE OF THE FOLLOWING:

(1) MULTIFAMILY DWELLING OWNERS, OR THEIR AGENT, SHALL COLLECT RECYCLABLE MATERIALS IN CONTAINERS AS CONVENIENT AS THE EXISTING SOLID WASTE COLLECTION SYSTEM AND TRANSPORT THEM TO A FACILITY THAT ACCEPTS MATERIALS FOR THE PURPOSE OF RECYCLING. OWNERS PROVIDING THIS SERVICE FOR THEIR MULTIFAMILY DWELLING RESIDENTS MUST DOCUMENT THAT THEY ARE DOING SO ON A REGISTRATION FORM DEVELOPED BY THE PUBLIC SERVICE DEPARTMENT.

(2) MULTIFAMILY DWELLING OWNERS SHALL CONTRACT WITH A LICENSED WASTE HAULER TO PROVIDE ON-SITE RECYCLING COLLECTION SERVICES. THESE SERVICES SHALL CONSIST OF RECYCLING COLLECTION CONTAINERS, THAT ARE AS CONVENIENT AS THE EXISTING SOLID WASTE COLLECTION SYSTEM. THE RECYCLING CONTAINER(S) SHALL BE AVAILABLE TO THE RESIDENT AT ALL TIMES EXCEPT FOR PERIODS WHEN CONTAINERS ARE REMOVED FOR COLLECTION. RECYCLING CONTAINERS SHALL BE CLEARLY LABELED AND SEPARATED IN A MANNER APPROPRIATE FOR DELIVERY TO A RECYCLING FACILITY. THE CONTAINERS SHALL BE MARKED "RECYCLABLE MATERIALS ONLY".

(3) MULTIFAMILY DWELLING OWNERS SHALL PROVIDE IN HOUSE STORAGE CONTAINERS FOR EACH RESIDENTIAL UNIT AND ARRANGE FOR A WEEKLY CURBSIDE RECYCLING COLLECTION SERVICE PROVIDED BY A LICENSED WASTE HAULER. HOWEVER, IF THE EXISTING SOLID WASTE COLLECTION SYSTEM PROVIDED TO THE MULTIFAMILY DWELLING IS OFFERED ON A BI-WEEKLY BASIS, THEN THE CURBSIDE RECYCLING SERVICE MAY ALSO BE PROVIDED ON A BI-WEEKLY BASIS.

THE OWNER SHALL SUBMIT ANNUAL DOCUMENTATION OF THE CURRENT COLLECTION SYSTEM FOR EACH MULTIFAMILY DWELLING PROPERTY THEY OWN ON A REGISTRATION FORM DEVELOPED BY THE PUBLIC SERVICE DEPARTMENT.

THE RECYCLING COLLECTION SYSTEM DEVELOPED BY THE TION OWNERS TO MEET THE REQUIREMENTS OF THIS SECSHALL BE APPROVED BY THE PUBLIC SERVICE DEPARTMENT BASED ON THE RECEIPT AND REVIEW OF THE REQUIRED REGISTRATION FORM. THE PUBLIC SERVICE DEPARTMENT MAY PROMULGATE MORE SPECIFIC CRITERIA TO MEET THE REQUIREMENTS OF THIS SECTION. SUCH CRITERIA SHALL BE SUBJECT TO THE APPROVAL OF THE LANSING CITY COUNCIL PRIOR TO IMPLEMENTATION.

IT SHALL BE THE RESPONSIBILITY OF OWNERS OF MULTIFAMILY DWELLINGS TO ADEQUATELY INFORM TENANTS OR

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

RESIDENTS OF THE RECYCLING PROGRAM. THE REQUIRED EDUCATION PROGRAM, AT A MINIMUM, SHALL INCLUDE WRITTEN INSTRUCTIONS TO ALL PARTIES IDENTIFYING THE MATERIALS TO BE RECYCLED, HOW THE MATERIALS ARE TO BE PREPARED, HOW TO USE THE ON-SITE COLLECTION SYSTEM, THE LOCATION OF COLLECTION CONTAINERS, AND UPDATES DETAILING ANY CHANGES IN THE PROGRAM.

SAID OWNERS, OR THEIR AGENT, OF A MULTIFAMILY DWELLINGS OF FIVE OR MORE UNITS WHO COMPLY WITH THE REQUIREMENTS OF THIS SECTION SHALL NOT BE LIABLE FOR THE NON-COMPLIANCE OF OCCUPANTS OF THEIR BUILDINGS.

(c) Commencing July 1, 1994, all owners, lessees or occupants on nonresidential sites of generation containing five units or more shall separate corrugated cardboard, yard waste and recyclable materials for recycling.

It shall be the responsibility of the nonresidential sites of generation, other than multifamily dwellings containing five units or more, to work in cooperation with waste hauling companies to develop methods to recycle corrugated cardboard, yard waste and recyclable materials, as defined in Section 1063.02, by or before July 1, 1994.

(d) The City, at its own expense, shall distribute to each unit of residential site of generation, a City approved recycling container. The container shall remain the property of the City and shall be visibly designated as such. Any replacement or additional City-approved recycling container may be purchased at a fee determined by Council resolution.

(e) It shall be a violation of this chapter for any person, other than a Public Service Department employee, to collect or pick-up or cause to be collected or picked-up from residential sites of generation any of the recyclable materials and/or yard wastes which have been placed in the right of way.

(f) Nothing in this chapter shall be construed to prevent an individual from disposing of yard waste on his or her own premises as long as the disposal does not create a nuisance or hazard to health, and does not emit offensive odors beyond the property lines of the site in which the yard waste is located.

(g) The burning of yard waste on any premises in the City is prohibited.

(h) It shall be a violation of this chapter for any waste hauler to dispose in a landfill any yard waste collected in the City. IT SHALL BE A VIOLATION OF THIS CHAPTER FOR ANY WASTE HAULER TO DISPOSE IN A LANDFILL ANY RECYCLABLE MATERIALS COLLECTED IN OR FROM A CONTAINER DESIGNATED FOR THE PURPOSE OF RECYCLING.

1063.06 LOCATION OF SOLID WASTE AND RECYCLING CONTAINERS; HOURS OF COLLECTION; REMOVAL OF CONTAINERS.

(a) Between each collection period, the owner, tenant, lessee or occupant of any property shall provide a suitable place on the premises to store solid waste AND/OR RECYCLABLE MATERIALS. Solid waste and/or recycling and/or yard waste containers shall be placed and protected so that they cannot be easily disturbed by animals and in a place which, IF POSSIBLE, is not visible from the street and away from places occupied by other persons.

(b) Solid waste and/or recycling containers and/or yard waste containers, which will be picked up by Public Service Department employees from residential sites of generation, shall be set out in the right of way on designated collection days, which shall be specified in the rules and regulations prepared by the Public Service Director and approved by Council. The schedule shall provide one collection weekly. The solid waste and/or recycling containers shall not be placed between the sidewalk and the curb prior to 7:00 p.m. of the day preceding the scheduled collection day. After the collection day, the recycling containers shall be promptly removed from between the right of way by the owner, resident, tenant, lessee or occupant.

1063.10 LICENSING OF WASTE HAULERS.

(a) No person shall engage in the business of collecting, transporting, delivering or disposing of solid waste and/or recyclable materials and/or yard waste within the City without first obtaining a license issued by the City. A waste hauler license shall be valid from the date of issuance to the following APRIL 30 (unless revoked earlier). It shall be an express condition of each license that the waste hauler shall:

(1) Comply with all provisions of this chapter, Federal and State laws;

(2) Have suitable types of containers and an appropriate number of containers to provide adequate service;

(3) Have a schedule of pick-ups; and

(4) Distribute appropriate educational materials to nonresidential site of generation customers on how to prepare and set up a collection system for solid waste, recyclable materials and yard waste.

(b) Every person required to obtain a waste hauler license shall make application to the City on forms provided by the Clerk's office. The application shall require such information as will enable the Department of Public Service's designee to determine whether the applicant, if licensed, will serve the public in compliance with the requirements of this chapter, and all other applicable laws, statutes, ordinances, rules and regulations. The nonrefundable fee for a waste hauler license shall be determined by Council resolution.

(c) Upon receipt of an application for a waste hauler license and payment of a nonrefundable license fee established by resolution of Council, the Department of Public Service shall make a recommendation regarding whether to grant the waste hauler license. The City may deny the issuance of a waste hauler license for any of the following reasons:

(1) Failure of the applicant to comply with this chapter, and any rules and regulations promulgated by the Department of Public Service and adopted by Council;

(2) Violations of this chapter or any other applicable laws, statutes, ordinances, rules and regulations;

(3) Prior criminal convictions, other than minor traffic offenses, or prior license revocations, when such criminal conviction or license revocation bears on the ability of the applicant to serve the public as a waste hauler in a fair, honest, safe and lawful manner; or

(4) Misrepresentation of any material fact in the application for the license.

In the event that the waste hauler license is denied, the City shall provide to the applicant written findings of fact in support of the denial based on the standards described above.

(d) Any waste hauler license granted pursuant to this chapter may be suspended or revoked by the City for any of the reasons for denial of such license set forth in subsection (c) hereof. The Public Service Department shall make written findings of fact in support of any license suspension or revocation.

A person shall have the right to a hearing before Council on any recommended license suspension or revocation, provided that a

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

written request therefor is filed with the City Clerk within five business days after receipt of notice of such suspension or revocation. In the event that such written request is filed with the City Clerk, Council shall hold a public hearing on such suspension or revocation, and shall have the power to reverse, affirm or modify the decision of the Public Service Department. Council shall, in its determination, make written findings of fact supporting its decision. The determination by Council shall be final, subject to appeal to a court of competent jurisdiction.

(e) Any vehicle used by a waste hauler for the collection, transportation, delivery or disposal of solid waste within the City shall have the waste hauler's name, address, telephone number and the number of its license issued pursuant to this chapter, plainly marked upon both sides of the vehicle in letters and figures not less than three inches high.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect ninety (90) days from its passage unless given immediate effect by City Council.

MARILYNN SLADE, CITY CLERK

CONSIDERATION OF LATE ITEMS

There were no Late Items for Consideration

MAYOR'S EXECUTIVE ASSISTANT COMMENTS

Mr. Boyd said that the Parks and Recreation Department has asked him to announce that the deadline for removing wreaths and evergreen products from grave sites in city cemeteries has been extended to March 15, 1993 because of the heavy snows we have experienced recently. Four Lansing students have received Distinguished Student Awards, Arletha Brewer, Robert McGowan, Carol Whittington, and Raushawn Bodeford. They were to receive their awards in a ceremony on February 21, 1993, in Dearborn. Because this was a bad snow day, none of the students could attend the ceremony. Mayor Crawford would like to have them presented at a future City Council meeting.

COUNCILMEMBER'S COMMENTS

Councilmember Brockwell thanked his Colleagues, Bob Clegg, Marshall Klaus, Greg Koessel, and the public for the passage of Draft #7 of the multifamily recycling ordinance. He attended a fund raiser for the Brotherhood Against Drugs last Sunday, he said. This is a tremendous organization which meets in February of every year to raise money for various projects around the City. Chief Boles attended the meeting also. This fund raiser was for the Midnight Basketball League. Doctor Hogan was there to talk about change. The kind of change needed to rescue these youngsters from the influence of drugs is a spiritual change. Anyone who wants to help this organization will be making a difference.

Councilmember Ford congratulated J.W. Sexton High School and thanked everyone who attended their Anniversary celebration. He commended Dr. Carnegie, and thanked J.W. Sexton, II for attending and Mr. and Mrs. Hulon T. Benson for the tribute to the Kings Kids.

Councilmember Schmidt announced that today was the first day for people to sign up for appeals to the Board of Review. Many people have already signed up. She received many phone calls this afternoon from people who got considerable increases in their assessments. These people should come down quickly to sign up for a review by the Board. Before you come down look at your assessment notice, find where it says increase, and multiply that figure by .07856, the millage rate. This will give you the cost of your payment when your taxes are due. If she can be of help to anyone, for instance by taking their appeal to the Board, please do not hesitate to contact her. Anyone can sign an affidavit authorizing a Councilmember to present their appeal to the Board of Review.

PUBLIC COMMENTS

William Bernstein of 420 Baker St. said that the Attorney's Grievance Commission received 23% more complaints about lawyers in 1992 than they did in 1989.

Richard Polk of Lansing said that if you look around Lansing, you might think you were close to living in Nazi Germany.

Frank S. Curtis 'X' of 1137 W. Allegan urged all black men to refuse to become the victims of the white man's drugs. He called for reparation for black men.

Reverent Witt, no address given, spoke in support of the Community Service and Referral Center (CSRC), and volunteered to serve on Council's Ad Hoc Committee established by President Canady.

Ernestine McMillan, no address given, spoke in support of CSRC, and volunteered to serve on President Canady s Ad Hoc Committee.

Paget Maynard of 902 W. Shiawassee spoke in support of CSRC, and said that his church is working on a program to supply the homeless with hot meals and warm blankets.

Geneva Smith of 769 W. Lenawee spoke in support of CSRC, and said she had 11 letters from other business owners in the community in support of them also. She asked to be appointed to President Canady's Ad Hoc Committee.

Joseph Parks, no address given, spoke in support of CSRC. He is an ex-resident of Tent City, and said he is tired of going through these changes. There are so many homeless men at the Mission and Volunteers of America right now that they are sleeping on the floor.

Ann Eby of 1120 W. Michigan spoke in support of CSRC. She said that some of the business that are objecting to the Center being located in their neighborhood moved there after the Center opened up.

Roger Pool of 2840 Norwich, Pastor of Pilgrim Congregational Church, President of the Rotating Sanctuary Program, said in the past Councilmembers have been supportive of their ministries. In the past year there have been 67 congregations that have gotten together to house the homeless. At their meeting last Thursday they unanimously adopted a recommendation to bring a letter of support for the CSRC to Council. A lot of women and children go to this center during the day. He volunteered members of the Rotating Sanctuaries Program to serve on President Canady's Ad Hoc Committee.

Pamela Fulton of 600 Bartlett spoke in support of CSRC.

Jamie White of 5000 Campus Hill Dr. said he works as a volunteer

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

at CSRC. He spoke in support of the Center. This country, he said, will spend billions of dollars all over the world, while hundreds of our own people are going homeless and hungry.

Felita Smith of 1052 Parker, Executive Director of the Lansing Area Homeless Persons Union, spoke in support of CSRC, and volunteered to serve on President Canady's Ad Hoc Committee.

Carol Brown of 1121 W. Allegan said she works in the same building as the CRSC and spoke in support of the Center.

Leonardo Christian of 1135 W. Kalamazoo spoke in support of the CSRC, and said he volunteers 40 hours of his own time to the center.

Lynn Parks of 607 N. Sycamore spoke in support of the Center and said homelessness is a big concern of health care professionals.

Catherine Curtis of 1019 Clare St., Coordinator of the Neighborhood Watch, spoke in support of the Center.

Raymond Hope of 316 N. Logan spoke in support of CSRC, and said his boss there is doing everything she can to help the homeless.

John Davis, living on Shiawassee, spoke in support of CSRC, and said he is a volunteer there.

Terry Cooper of 1134 N. Pennsylvania spoke in support of the CSRC.

Ammahad Shekarakki of 902 W. Willow complimented President Canady for doing a good job. He mourned the death of a friend and ally five weeks ago when Thurgood Marshall died. He stood for justice to the black man, and, never will we witness another man like him.

Betty Duley of 4594 Chippewa in Okemos, spoke in support of the CSRC, and said that tonight Council has heard the most eloquent testimony they could ever have. Tonight's speakers represent all of us.

Dawn Miller of 1411 Reo Rd. spoke in support of the CSRC.

Phyllis McFadden of 6243 Beechfield spoke in support of CSRC, they do health screening in Cooperation with the Ingham County Health Department, they have an electrical service to help people with their utility bills, they serve meals, and serve as public advocates.

Thomas Thompson of 327 River St. spoke in support of CSRC, where he volunteers 30-40 hours per week. The Mission and VOA put people out on the street at 8:00 A.M. This is the only place some people have to go.

Peter Finley of 1144 Fairway said he is not opposed to the rezoning of Sparrow Hospital's property on S. Eighth St., however he is concerned about turning homes into parking facilities. As a student at L.C.C. he is aware of the need for parking in the city, but somehow we manage. We have enough cement and parking lots, we need more grass and homes.

Buzz Hart of 1115 S. Washington, owner of the Recreation Center Bowling Lanes said the business community thought their problems with CSRC were taken care of. There are a lot of people here tonight to flood Council Chambers, but, where were these people for the last 2½ years? He does not hate people for the circumstances they are in, he hates them because they urinate in his doorways. CSRC's funding was taken away because of bad management and poor use of tax dollars. He is concerned about homeless, but, this is the wrong group of people, running the wrong program, with the wrong money, at the wrong time.

Charles Brown of 921 W. Allegan spoke in support of the CSRC, and said he is a volunteer there. This discussion should be about making the Center better.

Douglas Fairbanks of 107 Seventh said his work is seasonal, and he has gone through hard times. He supports the CSRC and the people they serve.

Suzy Cook-Stark of 1147 S. Washington said this is not about the Riverpoint Neighborhood against the homeless. This is about an agency that they believe has misused the money they received from the Board of Water & Light, United Way, and the City of Lansing. The people who are going into the Center are not the people who want help. There are two empty beds at the Straightline Ministries today, if people are serious about needing help. Capitol Area Community Services endorses Straightline Ministries.

Russ Matlock of 1913 Harding asked Councilmembers Ford and Lilly how they get time off from their jobs at the State of Michigan to attend Council and Committee meetings? Councilmember Lilly said that he works from 7:00 A.M. to 3:00 P.M. and takes annual leave for the additional hour that he needs to attend Committee meetings. Councilmember Ford said that he has to take 2½ hours on Wednesday and ½ hour on Thursday. This equals about three hours per week. He gets 6.5 hours of Annual Leave every two weeks and that is what he uses to attend meetings. His colleagues are very supportive, he said.

Larry Fulk of 1811 Davis said he worked for Human Relations for 20 years. This is a minority of people trying to hold together wino's and everything else over at this resource center. They need a place for the homeless, he said, but not down on S. Washington.

Dale Johnson of 1015 S. Washington, Director of Straightline Ministries said that homeless people who want to better their lives are welcome at his agency. They have two empty beds they must fill in order to qualify for funding. They will help anyone who is willing to work and stay sober. They have no obligation to provide a place for drunks, or lazy people who will not work. When they recruited volunteers to clean up the REO site, CSRC clients mocked and made fun of them. These people will not work. There is no need for this center to disrupt the orderly lives of the people in the neighborhood who are working. The issue is whether or not Council will allow money to be negligently used by people who have no clue of what they are doing to destroy homeless people's lives because they put none of the burden for their lives on themselves.

Cindy Johnson of 217 Reo said their purpose was not to beat up on Council or the neighborhood tonight. Their purpose was to show that their support does not come from paid employees. Proof for the accusations against them is hard to come by. According to a FOIA request they filed recently with LPD, there are no charges pending against them. They do not screen their homeless clients at the door, she said, do they have to be worthy to deserve their help? Some of their clients are not able to work. They have too many

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

problems and do not believe they can do anything.

Andrew Anthos, no address given, said the problems of these people are painful and embarrassing. Council should have done something about this a long time ago. If Council cares, they will do what they must do. If we can supply food to Serbia and Somalia, we can supply food to our own country.

Debbie Heefner of 730 Community St. said that the decision to locate this center in a business district was wrong in the first place. However, the less fortunate and poor are out there, you cannot just sweep them under the carpet. Ms. Johnson should be given an opportunity to prove herself. There are laws against stealing and misappropriation of funds, if these kinds of violations are taking place, people involved can be put in jail. She wishes this organization had been around 13 years ago when she needed help getting back on her feet.

Lloyd Teets of 116 E. Elm St. said he has always felt that he spoke for the poor and disenfranchised, the less fortunate in our society. The problems at CSRC have been on-going for years. They have had one failed administration after another during this time. Their funding was cut off back in October, and it is now March. Where have they been all this time. They waited until they ran out of money. They may provide an essential service, but, they are not doing it well. When their funding was cut off the money was transferred to other agencies. The services they provide should have been referred to other agencies as well.

Ellen Moore of 1620 Osband thanked Council for approving the three new appointments to the Board of Review. She looks forward to working with these very competent people. She said she will miss Bill Brenke, but she will work these new people as hard as she worked him. The Board begins meeting tomorrow and their hearings start on Monday. She asked the public not to blame the assessor for their increased property taxes. These are due to the actions of the State Legislature across the street at the State Capital. They mandate State law that the City must abide by.

Kathleen Miller of 1411 Reo spoke in support of the CSRC, saying she works for them. When she went to work for them she felt they needed help. She began making rules and getting rid of people who were stealing. She never really believed that their funding would be taken away.

Maria Haskel-Sturdevant, no address given, spoke in support of CSRC and said in the last six months she has seen a lot of tearing down. When, she asked, does the rebuilding start for the poor.

Harold Leeman of 529 N. Francis announced that it is 10:00 and he is the 40th speaker. He reviewed the tape of the April 13, 1992 meeting when the Early Retirement Resolution was adopted. He thanked Councilmember Ford for his comments at that meeting. He (Ford) asked Council to hold the resolution for one week for further study. Mr. Leeman announced that he gave a 2 hour deposition last week. He was told that Lloyd Teets' deposition lasted 3½ hours. He said he feels bad for Council for taking all these harsh words tonight. Their Board and the people who run the Center need to get their act together. He said he hopes that President Canady's Ad Hoc Committee will ask tough questions.

ADJOURNED 10:00

MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, March 8, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
March 8, 1993

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by Vice-President Brockwell

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Ford, Lilly, Schmidt

ABSENT: Council President Canady

INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation was lead by Councilmember Ford. The Pledge of Allegiance was lead by Cub Scout Pack #222, Den 3, from Immaculate Heart of Mary and St. Casimir School

READING AND APPROVAL OF PRINTED COUNCIL PROCEEDINGS

By Councilmember Schmidt

To approve the printed Council Proceedings of February 8, and February 15, 1993

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Benavides

To accept the following under suspension of the rules

1/ From Councilmember Benavides a resolution in support of Senate Bills 348-362 which propose the decriminalization of violations of City ordinances

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. In consideration of Z-17-92, 5139 Balzer St./5200 S. Dr. Martin Luther King, Jr. Blvd./Logan St. request to rezone from "A" Residential to "J" Parking District

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

B. In consideration of Z-22-92, 1100-1106 W. Ionia St. request to rezone from "B" Residential to "C" Residential District

Chris Campbell, Chairman of the West Side Neighborhood Association (WSNA) Housing Committee, spoke in opposition to this request saying this type of spot zoning will be detrimental to the neighborhood.

Dick Baker from the WSNA spoke in opposition to this request saying this house has been in bad condition for thirty years. It has been a drug house, and has been condemned several times. The owner has made no investment in the structure in all the years he has been there.

Carol Rawl of 1608 W. Shiawassee, a member of WSNA, spoke in opposition to this request. She stated that the people who live next door to this property have asked her to speak for them tonight and relay their opposition. In the 20 years they have lived next door, the owner has made no effort to renovate this property.

Kelly Konholy of 619 Westmoreland asked that the zoning for this property remain single family.

Mary Rosenberg of 519 N. Jenison, a member of WSNA spoke in opposition to this rezoning. She walks to work everyday and this house worries her.

Paul Novak of 1519 W. Kalamazoo, a member of WSNA, spoke in opposition to the rezoning request. This building was scheduled for Demolition, but the owner was granted an injunction from the Court, otherwise this property would have been demolished last fall.

Ken Brock of 427 Westmoreland spoke in opposition to this rezoning. This property sits on a key intersection at the entrance to the Capital Loop project, it is an eyesore, a public safety menace, and inhibits their ability to renovate in this area.

Rick Gamber, and Irene Kazieczko of 1213 W. Shiawassee submitted a letter protesting this rezoning. This lot is too small for two family use, and would set a bad precedent. The owner has come before council with several rezoning requests for this property, all of them inappropriate.

Fred Johnson of 2572 W. Mt. Hope spoke in support of his request to rezone this property. He distributed pictures of this property to Councilmembers. There are only three buildings in the immediate area that are single family. The River Island Master Plan called for the rezoning of the one block area bounded by King/Logan, Butler, Washtenaw, and Allegan. He invited all Councilmembers to come down and take a look at this building. He objected to the statement that this property was used as a drug house. There are no police reports to show that this property was ever raided. He has two complete apartments on this property already, this would not change that, it would only allow him to apply for the funding necessary to remodel the place.

Councilmember Beal asked Councilmember Brockwell if any work was ever done to bring this property up to code following the order for Make-safe or demolish that was issued last year. Councilmember Brockwell answered in the affirmative. She asked Councilmember Lilly to remember that this situation has been around for many years, and to refer this request to the Committee on Public Services following consideration by the Physical Development Committee so that they may examine the state of the building.

Councilmember Ford said that he inspected this property with Mr.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Hernandes of the Building Department. The building is unattractive, but, Mr. Johnson has done a lot of work at the second floor level. There is a lot of history behind this corner. The situation is that this building has caused the City a lot of concern and it may be too late for this property in the eyes of the neighborhood.

Lloyd Teets of 116 E. Elm St. stated that this building was never built as a single family home. It was originally built as a commercial building with a store downstairs, and an apartment upstairs.

Frank Curtis of 1137 W. Allegan said he was raised in this area. Mr. Johnson is not getting a fair shake here, he said. No one was interested in this until the property became valuable.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

PUBLIC COMMENT

Harold Leeman of 529 N. Francis asked Councilmember Ford to explain the claim resolutions on tonight's agenda in detail. He asked for an explanation of the resolution on the sale of bonds for the CSO project and wants to know what area they are for. On the suspension of retirement benefits to people who are rehired by the city, please have the Mayor explain how many people are on contract with the city now, and how many are consultants.

Lloyd Teets of 116 E. Elm St. commended Councilmember Ford for giving full explanation of claim resolutions from his committee. He makes sure that people are fully informed about them. They should have been fully informed on the early retirement resolution. Now they will pass a resolution that will allow for retirees to be rehired. The original idea was to reduce city staff by 60-75 people, but, it was such a lucrative deal that 144 people took advantage of it including the Mayor and the City Clerk. Approximately 60 of these 144 will have to be replaced. He does not see where the savings come into play. He hopes that Judge Stell puts an end to this and returns it to City Council and makes them do it right.

Councilmember Schmidt said that the resolution that they will be passing tonight will do the opposite of what Mr. Teets said. It will prevent retirees from being rehired.

Andy Keebler of 824 Comfort said that it is disgraceful that this issue has wasted so much time in this City. This gives each and every Councilmember a black eye. He stated that he would not vote for anyone on Council, because they all voted for this, because they would all benefit from it in time. The State of Michigan received an award for having the most people trying to move out of it recently. No one who was not a union member should have been eligible for early retirement.

Robert Cusack of 1529 N. State Road, Ionia said that the public nuisance ordinance was unfair and discriminatory. The letter that is mailed out informing people of their fines is very unclear. The $50.00 fee just for notifying a homeowner of a violation is not stated properly. He owns 100 pieces of property and has never received a fine like this from other cities. Anyone could drive by one of his properties and throw an old mattress in the front yard. Without a notice from the City, he would not even be aware of it. That letter alone would cost him $50.00.

Councilmember Ford explained that multiple violations in one calendar year incur a $50.00 fee each. Land owners should not use the City's Code Inspection Program as a monitor for their property. The City incurs a cost to go out and inspect these properties. Landlords should be doing routine inspections of their own properties to see that the City's system is not used as a warning mechanism.

SPECIAL CEREMONIES

A. Mayor Crawford presented a proclamation declaring March 21 through March 27, 1993 as National Boys and Girls Club Week to Evelyn Johnson of the Lansing Boys and Girls Club. Ms. Johnson thanked Mayor Crawford and Council. During this week, they will be holding a variety of activities. Among them; A pancake breakfast on March 21, a Talent show for youths aged 7-17, Senior Citizens Day, a Youth Workshop at the Middle Schools, and a Parent/Child Dance.

COMMUNICATIONS AND PETITIONS

By Councilmember Benavides

That Communications and Petitions be considered as read in full and that the proper referrals be made by Council Vice-President Brockwell:

Carried unanimously

A. Notice from the Liquor Control Commission of recision of their denial order for a request to transfer ownership of 1992 SDD License with Sunday Sales Permit from Faiek Zeineh to Mooney Oil Corp. and request to transfer location from 621 E. Michigan to 2840 E. Saginaw

REFERRED TO THE MAYOR AND THE CITY CLERK

B. Letter from Joan DeRose, Resident Manager of Colonial Townehouses, requesting an ordinance that would allow Resident Managers/Personnel of properties to ticket vehicles in their parking lots

REFERRED TO THE MAYOR AND THE COMMITTEE ON PUBLIC SAFETY

C. Letter from Kelly R. Thompson, Fund Raising Manager of the National Multiple Sclerosis Society, requesting City Council support for their Annual Super Cities Walk in Lansing & East Lansing on April 18, 1993

RECEIVED AND PLACED ON FILE

D. SLU-03-93, Special Land Use Petition filed by Mount Hope Church in the City for 300 E. Michigan Ave., Suite 1, for the purpose of using part of the ground floor level of the Corr Building as a Church

REFERRED TO THE MAYOR AND THE PLANNING BOARD

E. Letter from Attorneys regarding former Park Police Officers and their years of service towards retirement credits

REFERRED TO THE CITY ATTORNEY

F. Letter from Gerald Graves of 1623 S. Genesee Drive regarding the Early Reduction in Force Plan adopted April 13, 1992

REFERRED TO THE MAYOR AND THE COMMITTEE OF THE WHOLE

G. Letter from the Michigan Department of Labor regarding the registration of Building Officials, Plan Reviewers and Inspectors

REFERRED TO THE MAYOR

MAYOR MAY COMMENT

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Mayor Crawford commented on the resolution regarding the rehiring of City retirees. The administration has not, nor does it plan to re-hire any retirees. He pointed out that Sid Worthington is not a retiree.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action or referral on licenses and bonds:

1. REFERRAL:

1986 Class C License with Dance Permit Held in Escrow (1)

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of March 1, 1993 for Review

RECEIVED AND PLACED ON FILE

C. Mechanical Board Evaluation

RECEIVED AND PLACED ON FILE

D. Letter from Chief of Police Jerome Boles regarding the Annual "National Night Out" Kickoff / City Council Annual Outdoor Meeting

REFERRED TO THE COMMITTEE OF THE WHOLE

E. Letters from the Mayor re:

1/ ACT-02-90, Alley off 1200 Block N. Washington Ave.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

2/ SLU-01-93, 3202 S. Pennsylvania Ave.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

3/ CDBG Statement of Objectives and Projected Use of Funds

THIS ITEM WAS WITHDRAWN FROM THE AGENDA AT THE REQUEST OF MAYOR CRAWFORD

COMMITTEE REPORTS

There were no Committee Reports

RESOLUTIONS

RESOLUTION #142
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Darryl White filed a claim against the City in the amount of $677.00 for reimbursement of costs due to a sewer back-up at his residence located at 4207 Stabler Street; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the Claims Review Committee concurred with the staff recommendation and denied the claim; and

WHEREAS, the claimant appealed the denial to the City Council, which referred the claim to the Committee on General Services for investigation; and

WHEREAS, the claimant's representative, Debra Raisner from the Sixty Plus, Inc. Elderlaw Clinic, appeared before the Committee, furnishing testimony in support of the claim; and

WHEREAS, under the particular circumstances of this situation, the Committee recommends approval of the claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the claim of Darryl White in the amount of $677.00; and

BE IT FURTHER RESOLVED the Clerk is requested to forward a copy of this resolution to the City Attorney for action; and

BE IT FURTHER RESOLVED the City Attorney is directed to make payment of this amount after appropriate releases are signed by the claimant; and

BE IT FINALLY RESOLVED the City Attorney is directed to attempt to recover the claim amount from the sewer contractor who performed the work affecting the claimant's sewer lead.

By Councilmember Ford

Carried unanimously

RESOLUTION #143
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, John H. Harris filed a claim against the City in the amount of $690.00 in protest of a special assessment against his rental property located at 1335 Roosevelt; and

WHEREAS, the City Attorney's staff recommendation to the Claims Review Committee was to deny the claim; and

WHEREAS, the Claims Review Committee concurred with the staff recommendation and denied the claim; and

WHEREAS, the claimant appealed the denial to the City Council, which referred the claim to the Committee on General Services for investigation; and

WHEREAS, the Committee found that the Building Safety Division wrote a Housing Code violation, and that the proper notice procedure was followed, but that the subject of the assessment was tree limb removal, which the City Attorney's Office advised is not included within the jurisdiction of the Housing Code; and

WHEREAS, under the particular circumstances of this situation, the Committee recommends settlement of the claim by waiving the contractor's charge of $500.00 and keeping the City administrative charge of $190.00 on the special assessment;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the recommendation of the General Services Committee that an offer be made to settle the claim of John H. Harris by reduction of the claimant's special assessment from $690.00 to $190.00; and

BE IT FURTHER RESOLVED the Clerk is requested to forward a copy of this resolution to the City Attorney for action; and

BE IT FURTHER RESOLVED the City Attorney is requested to notify the claimant of this action; and

BE IT FURTHER RESOLVED if the claimant does not contact the City Attorney to indicate acceptance of this offer by 5:00 PM on Friday, March 26, 1993, this claim shall be considered denied.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

By Councilmember Ford

Carried unanimously

RESOLUTION #144
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Robert G. Cusack filed a claim against the City in the amount of $100.00 in protest of two $50.00 special assessments for multiple violations of the Housing Code in the same calendar year at his rental property located at 504 South Hayford Street; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim, which was concurred in by the Claims Review Committee; and

WHEREAS, the claimant appealed the denial to the City Council and appeared before the General Services Committee, furnishing testimony in support of the claim; and

WHEREAS, the Committee found that the claimant, who lives in Ionia, received multiple violation notices in 1992 for tall grass and weeds on his property, that he always cut the weeds within the compliance period, and that he disagrees with the $50.00 fee for second and subsequent violations within the same calendar year, saying the City should send him a notice without charge every time his property is in violation; and

WHEREAS, the Committee recognizes that the $50.00 fee was established to discourage absentee landlords from using the City's code compliance inspection program as their notification system that problems exist on their properties, and recommends that the claim appeal be denied;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to uphold the Claims Review Committee's denial of the claim of Robert G. Cusack; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

March 8, 1993

By Councilmember Ford

Carried unanimously

Item XII A-4., from the Committee on General Services, Claim Settlement of Ronald J. Decker was defeated by a vote of 4/3. By motion of Councilmember Beal and unanimous vote of Council the resolution was reconsidered and returned to the Committee on General Services. Councilmember Ford said that he wished to go on record as not supporting this resolution because of the amount of the settlement.

RESOLUTION #145
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Lilly:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, March 29, 1993 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the proposed special land use:

SLU-1-93—3202 South Pennsylvania Avenue, to allow the owner to lease a portion of the building to a beauty salon which will have up to four chairs.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS Beal, Belen, Benavides, Brockwell, Ford, Lilly, Schmidt

NAYS: None

ABSENT: Councilmember Canady

RESOLUTION #146
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves the attached Traffic Control Order Number 93-002, which authorizes the permanent removal of the 7:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. no parking zone on Washington Avenue from Lenawee Street to Kalamazoo Street, in front of the former Learning Care Center site.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #147
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 93-003, which authorizes the installation of a yield sign on Melody Lane at Holiday Lane.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #148
BY THE COMMITTEE ON PUBLIC SERVICE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of Terry D. Eagle to the Downtown Mall Advisory Board for a term to expire February 1, 1996, is hereby confirmed.

By Councilmember Benavides

Carried unanimously

March 8, 1993

Item XII E-1., from the Committee on Ways and Means, Suspending the Rehiring of any City Retirant who Retired from the General Employees Retirement System, was pulled from the agenda at the request of Councilmember Benavides and returned to Committee

RESOLUTION #149
BY THE WAYS AND MEANS COMMITTEE:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING:

WHEREAS, grant funds have been made available through the State of Michigan, Office of Criminal Justice Training, for management training for Lansing Police Department managers and supervisors; and

WHEREAS, the City submitted a grant application for a manage-

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

ment training program for Police Department supervisory personnel, in order to improve managerial operations and empower line officers within the restructured organization under Chief Boles; and

WHEREAS, the City was recently advised that a grant in the amount of $46,161 has been approved; and

WHEREAS, the cost to the City is projected to be $46,161; and

WHEREAS, the Mayor has recommended acceptance of the grant;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council approves acceptance of the State grant funds in the amount of $46,161 for training of Police Department supervisory personnel, to take place between January 1, 1993 and December 31, 1993.

By Councilmember Benavides

To accept a friendly amendment to the resolution, in the fourth paragraph, to say "WHEREAS, there is no cost to the City; and", and place an affirmative roll on the resolution as amended

Carried unanimously

RESOLUTION #150
City of Lansing
Counties of Ingham and Eaton, State of Michigan

Resolution Authorizing Issuance and Sale of General Obligation Limited Tax Bond Series 1993

WHEREAS, the State of Michigan Water Resources Commission has issued a Wastewater Treatment Facilities National Pollutant Discharge Elimination System Permit No. MI 0023400 (the "NPDES Permit") requiring the City of Lansing (the "City") to develop a Final Combined Sewer Overflow Control Program (the "CSO Control Program") to be submitted to the State of Michigan acting through its Department of Natural Resources ("DNR") for approval; and

WHEREAS, by a letter dated March 9, 1992 to the City Clerk, DNR, acting through its Supervisor of the Surface Water Quality Division has approved the CSO Control Program submitted by the City in compliance with the NPDES Permit; and

WHEREAS, Act 320, Public Acts of Michigan, 1927, as amended, ("Act 320") enables a City to issue and sell bonds to finance construction of improvements required by a permit issued by the State of Michigan Water Resources Commission; and

WHEREAS, the City Council of the City intends to authorize the issuance of limited tax general obligation bonds pursuant to Act 320 in an amount not to exceed Twelve Million Dollars ($12,000,000) for the purpose of constructing a sanitary sewage equalization basin south of Harton Street at Charles Street and constructing sanitary sewers in Prospect Street, Hayford Street, Magnolia Avenue, and Fairview Street, and other improvements (the "Improvements") included in Phase I, Segment 2 of the CSO Control Program required by the NPDES Permit; and

WHEREAS, plans and specifications for the Improvements have been prepared by the City's consulting engineers and approved by the DNR and all conditions precedent to the issuance of bonds authorized by Act 320 have been fulfilled; and

WHEREAS, Chapter III, Section 12(d) of the Municipal Finance Act, Act 202 of the Public Acts of Michigan, 1943, as amended, permits a municipality to authorize, within limitations which shall be contained in the authorization resolution of the governing body, an officer to sell and deliver and receive payment for obligations, and to approve interest rates or methods for fixing interest rates, prices, discounts, maturities, principal amounts, denominations, dates of issuance, interest payment dates, redemption rights, place of delivery and payment, and other matters and procedures necessary to complete authorized transaction;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. Pursuant to the CSO Control Program approved by DNR in accordance with the NPDES Permit, the City shall acquire and construct the Improvements.

2. The estimated period of usefulness of the Improvements is not less than forty (40) years.

3. The term "Authorized Officer" as used in this Resolution shall refer to any one of the following City officers: the Interim Director of Finance, the Interim Director of Public Service, Mayor, or City Clerk.

4. A bond of the City designated GENERAL OBLIGATION LIMITED TAX BOND, SERIES 1993 (the "Bond") is authorized to be issued for the purpose of paying the costs of the Improvements, including capitalized interest and costs incidental to the issuance, sale and delivery of the Bond. The Bond shall be issued in the aggregate principal sum of Twelve Million Dollars ($12,000,000) or such lesser amount as shall be determined by an Authorized Officer at the time of sale (the "Principal Amount") and approved by the DNR and the Michigan Municipal Bond Authority (the "Authority"). The Bond shall be in the form of a single fully-registered, nonconvertible bond of the denomination of the Principal Amount dated as of the date of delivery of the Bond, payable in principal installments serially on October 1 of each year beginning October 1, 1995 or on such other dates as may be determined by an Authorized Officer at the time of sale of the Bond and approved by DNR and the Authority. The schedule of principal installments shall be determined by an Authorized Officer at the time of sale of the Bond and approved by DNR and the Authority. Final determination of the Principal Amount and the payment dates and amounts of principal installments of the Bond shall be evidenced by execution of the Purchase Contract between the City and the Authority providing for sale of the Bond.

The Bond or installments thereof will be subject to prepayment prior to maturity in the manner and at the times as provided in the form of Bond contained in this Resolution or as may be approved by the Authority.

Any Authorized Officer is hereby authorized to sell the Bond to the Authority at an interest rate of two percent (2%) per annum and at the par value thereof as evidenced by execution of a Purchase Contract as provided in paragraph 10 below, and to deliver the Bond in accordance with the delivery instructions of the Authority.

The Bond is expected to be delivered to the Authority in installments (the "delivery installments") and each delivery installment shall be noted on the registration grid set forth on the Bond. The delivery installments shall be deemed to correspond to

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

the serial principal installments of the Bond in direct chronological order of said serial principal installments.

The serial principal installments of the Bond will each bear interest from the date of delivery of the corresponding delivery installment to the registered holder thereof as shown on registration grid set forth on the Bond at the rate of two percent (2%) per annum payable on October 1, 1993 and semiannually thereafter on April 1 of and October 1 of each year until maturity or earlier prepayment of said installment provided that at the time of sale of the Bond an Authorized Officer may approve a lower interest rate or a later date for initial payment of interest if approved by DNR and the Authority. The Bond shall not be convertible or exchangeable into more than one fully-registered bond.

Principal of and interest on the Bond shall be payable as provided in the form of Bond set forth in this Resolution.

The Finance Director shall record on the registration books payment by the City of each installment of principal or interest or both when made and the canceled checks or other records evidencing such payments shall be returned to and retained by the Finance Director and shall be conclusive evidence of such payments and the obligation of the City with respect to such payments shall be discharged to the extent of such payments.

Upon payment by the City of all outstanding principal of and interest on the Bond, the registered owner thereof shall deliver the Bond to the City for cancellation.

The Bond may be transferred by the Finance Director upon surrender by the person in whose name it is registered, in person or by his duly authorized attorney, accompanied by delivery of a duly executed written instrument of transfer in a form approved by the Finance Director. Whenever the Bond shall be surrendered for transfer, the Finance Director shall record such transfer on the books of the City and shall register such transfer on the registration grid attached to the Bond. At the time of such transfer the Finance Director shall note on the Bond the outstanding principal amount thereof at the time of such transfer. In the event the Bond is called for prepayment in part, the Finance Director, upon surrender of the Bond, shall note on the Bond the principal amount prepaid and shall return the Bond to the registered owner thereof together with the prepayment amount on the prepayment date. The Finance Director shall require the payment by the bondholder requesting the transfer of any tax or other governmental charge required to be paid with respect to the transfer. The City shall not be required (i) to issue, register the transfer of, or exchange any Bond during a period beginning at the opening of business fifteen days before the day of the mailing of a notice of redemption of the Bond or portions thereof selected for redemption prior to maturity under this Resolution and ending at the close of business on the day of that mailing, or (ii) to register the transfer of or exchange any Bond or portion thereof so selected for redemption.

5. The Bond shall be executed in the name of the City with the manual or facsimile signatures of the Mayor and Clerk of the City (provided that at least one of the signatures on the Bond shall be a manual signature) and shall have the seal of the City, or a facsimile thereof, printed or impressed on the Bond. After execution, the Bond shall be held by the Finance Director or designee for delivery to the Authority. The Bond and any installment thereof shall not be valid until registered by the Finance Director or designee.

6. The Finance Director is authorized and directed to open a separate depositary account with a bank or trust company to be designated CSO GENERAL OBLIGATION LIMITED TAX BOND SERIES 1993 DEBT RETIREMENT FUND (the "Debt Retirement Fund"), the moneys to be deposited into the Debt Retirement Fund to be specifically earmarked and used solely for the purpose of paying principal of and interest on the Bond as it becomes due. The Finance Director shall deposit into the Debt Retirement Fund from proceeds of the Bond an amount representing capitalized interest for a period to be approved by DNR and the Authority but not to exceed three years from the date of delivery of the Bond. All proceeds from taxes levied for the Debt Retirement Fund shall be deposited into the Debt Retirement Fund as collected. The Bond shall be payable as a first budget obligation from the general funds of the City subject to applicable constitutional, statutory and charter tax rate limitations. Commencing with the year 1993, there shall be levied upon the tax rolls of the City for the purpose of the Debt Retirement Fund each year, in the manner required by the provisions of Act 202, Public Acts of Michigan, 1943, as amended, an amount sufficient such that the estimated collection therefrom will be sufficient to promptly pay, when due, the principal of and interest on the Bond becoming due prior to the next annual tax levy; provided, however, that if at the time of making any such annual tax levy there shall be surplus moneys on hand in the Debt Retirement Fund for the payment of principal of and interest on the Bond, or if there is available other monies to make the required payments on the Bond, then the City shall take such monies into account in determining such annual levy. The taxes, if any, levied hereunder shall be subject to applicable constitutional, statutory and charter tax limitations.

7. The proceeds of the Bond (except capitalized interest as provided above) and no other moneys shall be deposited in a fund to be designated as the CSO GENERAL OBLIGATION LIMITED TAX BOND, SERIES 1993 CONSTRUCTION FUND (the "Construction Fund"). Said moneys shall be used solely for the purposes for which the Bond is issued. Any unexpended balance of the proceeds of the sale of the Bond remaining after completion of the Improvements herein authorized may be used at the discretion of the Interim Director of Public Service for further improvements included in the CSO Control Program required by the NPDES Permit. Any remaining balance after such expenditure shall be paid into the Debt Retirement Fund (as hereinbefore provided) and used for the prepayment of installments of the Bond or the purchase of installments of the Bond at not more than the fair market value thereof. Following completion of the Improvements, any unexpended balance of Bond proceeds shall be invested at a yield not to exceed the yield on the Bond.

After completion of the Improvements and disposition of remaining proceeds, if any, of the Bond pursuant to the provisions of this Section, the Construction Fund shall be closed.

8. The Bond shall be in substantially the following form with such variations as shall be requested by the Authority and approved by an Authorized Officer.

UNITED STATES OF AMERICA
STATE OF MICHIGAN, COUNTIES OF INGHAM AND EATON

CITY OF LANSING
GENERAL OBLIGATION LIMITED TAX BOND
SERIES 1993

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

The CITY OF LANSING, Counties of Ingham and Eaton, State of Michigan (the "City"), acknowledges itself to owe and for value received hereby promises to pay to the Michigan Municipal Bond Authority (the "Authority") the sum of _____ ($_____) or such portion thereof as shall have been advanced to the City (the "Principal Amount") pursuant to a Purchase Contract between the City and the Authority and a Supplemental Agreement by and among the City, the Authority and the State of Michigan acting through the Department of Natural Resources. The Principal Amount shall be payable on the dates and in the principal installment amounts set forth in Schedule A attached hereto and made a part hereof (as such Schedule may be adjusted if less than $_____ is disbursed to the City or if a portion of the Principal Amount is prepaid as provided below), with interest on said principal installments from the date each said installment is delivered to the holder hereof as set forth on the registration grid hereon until paid at the rate of two percent (2%) per annum, payable on October 1, 1993, and semiannually thereafter.

Notwithstanding any other provision of this Bond, so long as the Michigan Municipal Bond Authority (the "Authority") is the owner of this Bond, (a) this Bond is payable as to principal, premium, if any, and interest at the corporate trust office of Michigan National Bank, Grand Rapids, Michigan or at such other place as shall be designated in writing to the City by the Authority (the "Authority's Depository"); (b) the City agrees that it will deposit with the Authority's Depository payments of the principal of, premium, if any, and interest on this Bond in immediately available funds at least five business days prior to the date on which any such payment is due whether by maturity, redemption or otherwise; and (c) written notice of any redemption of this Bond shall be given by the City and received by the Authority's Depository at least 40 days prior to the date on which such redemption is to be made.

Additional Interest

In the event of a default in the payment of principal of interest hereon when due, whether at maturity, by redemption or otherwise, the amount of such default shall bear interest (the "additional interest") at a rate equal to the rate of interest which is two percent above the Authority's cost of providing funds (as determined by the Authority) to make payment on the bonds of the Authority issued to provide funds to purchase this Bond but in no event in excess of the maximum rate of interest permitted by law. The additional interest shall continue to accrue until the Authority has been fully reimbursed for all costs incurred by the Authority (as determined by the Authority) as a consequence of the City's default. Such additional interest shall be payable on the interest payment date following demand of the Authority. In the event that (for reasons other than the default in the payment of any municipal obligation purchased by the Authority) the investment of amounts in the reserve account established by the Authority for the bonds of the Authority issued to provide funds to purchase this Bond fails to provide sufficient available funds (together with any other funds which may be made available for such purpose) to pay the interest on outstanding bonds of the Authority issued to fund such account, the City shall and hereby agrees to pay on demand only the City's pro rata share (as determined by the Authority) of such deficiency as additional interest on this Bond.

This Bond is a single, fully-registered, non-convertible bond in the principal sum indicated above issued for the purpose of constructing Improvements pursuant to the State of Michigan Water Resources Commission Wastewater Treatment Facilities National Pollutant Discharge Elimination System Permit No. MI 0023400 as now in force or as hereafter revised. This Bond is issued under the provisions of Act 320, Public Acts of Michigan, 1927, as amended, and a resolution duly adopted by the City Council. This Bond is payable as a first budget obligation from the general fund of the City and from taxes imposed on all taxable property in the City subject to applicable constitutional, statutory and charter tax rate limitations.

Principal installments of this Bond are subject to prepayment prior to maturity only with the prior written consent of the Authority and on such terms as may be required by the Authority.

This Bond shall be registered as to principal and interest on the books of the City kept by the Finance Director and may be transferred only upon surrender of this Bond by the registered owner of record in person, or by registered owner's attorney duly authorized in writing, to the Finance Director together with a written instrument of transfer satisfactory to the Finance Director duly executed by the registered owner or the registered owner's attorney duly authorized in writing, and thereupon a new registered bond in the same aggregate principal amount and of the same maturity shall be issued to the transferee in exchange therefor as provided in the resolution authorizing this Bond, and upon the payment of the charges, if any, therein prescribed.

This Bond is payable out of the City's Debt Retirement Fund for this issue, and it is hereby certified and recited that all acts, conditions and things required by law to be done, precedent to and in the issuance of this Bond exist and have been done and performed in regular and due form and time as required by law, and that the total indebtedness of the City, including this Bond, does not exceed any constitutional, statutory or charter debt limitation.

IN WITNESS WHEREOF, the City, by its City Council, has caused this Bond to be signed in the name of the City by the manual signatures of its Mayor and Clerk and its corporate seal or a facsimile thereof to be impressed hereon, all as of the Date of Original Issue.

CITY OF LANSING
Counties of Ingham and Eaton
State of Michigan

By_____
Its Mayor

(SEAL)

Countersigned

By_____
City Clerk

REGISITRATION
NOTHING TO BE WRITTEN HEREON EXCEPT
BY THE FINANCE DIRECTOR OR DESIGNEE AS REGISTRAR

The following registration grid indicates disbursement of the Principal Amount of the Bond from the Michigan Municipal Bond Authority to the City.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Date of Registration	Name of Registered Owner	Principal Installment Delivered	Signature of Registrar
	Michigan Municipal Bond Authority		
	Michigan Municipal Bond Authority		

SCHEDULE A

The following payment schedule indicates repayment by the City of Principal Amount due on this Bond. Repayment of the Principal Amount shall be made according to this schedule until the full Principal Amount disbursed to the City as shown on the Registration Grid is repaid, unless prepaid as provided in the Bond. In event that the Principal Amount disbursed to the City is less than $_____ or in event of prepayment of the Bond, the Authority may prepare a new payment schedule which shall be approved by a resolution of the City Council. NOTHING IS TO BE WRITTEN HEREON EXCEPT BY THE AUTHORITY OR ITS DEPOSITORY.

Principal Installment Due on Oct. 1	Amount of Principal Installment	Date Paid	Signature of Registrar
1995	$ ___,000		
1996	___,000		
1997	___,000		
1998	___,000		
1999	___,000		
2000	___,000		
2001	___,000		
2002	___,000		
2003	___,000		
2004	___,000		
2005	___,000		
2006	___,000		
2007	___,000		
2008	___,000		
2009	___,000		
2010	___,000		
2011	___,000		
2012	___,000		
2013	___,000		
2014	___,000		
	$ ___,000		

9. The City hereby covenants that, to the extent permitted by law, it shall take all actions within its control necessary to maintain the exclusion of the interest on the Bond from adjusted gross income for general federal income tax purposes under the Internal Revenue Code of 1986, as amended (the "Code") including but not limited to, actions relating to the rebate of arbitrage earnings, if applicable, and the expenditure and investment of Bond proceeds and moneys deemed to be Bond proceeds.

10. The proposed form of Purchase Contract between the City and the Authority (the "Purchase Contract") and the proposed form of Supplemental Agreement among the City, the Authority and DNR (the "Supplemental Agreement") on file with the City Clerk are hereby approved. The Authorized Officers are hereby jointly or severally authorized to execute and deliver the Purchase Contract and the Supplemental Agreement upon completion in the forms approved hereby with such revisions as they may determine to be necessary or desirable, permitted by law, and not materially adverse to the City.

11. The Authorized Officers are hereby jointly or severally authorized to take any actions necessary to comply with requirements of the Authority and DNR in connection with sale of the Bond to the Authority. The Authorized Officers are hereby jointly or severally authorized to execute and deliver such other certificates, documents, instruments, and other papers as may be required by the Authority or DNR or as may be otherwise necessary or convenient to effect the delivery of the Bond.

12. All resolutions and parts of resolutions insofar as they conflict with the provisions of this Resolution be and the same hereby are rescinded.

By Councilmember Benavides

Carried unanimously

I hereby certify that the foregoing is a true and complete copy of a resolution adopted by the City Council of the City of Lansing, Counties of Ingham and Eaton, State of Michigan at a Regular meeting held on March 8, 1993, at 7:00 o'clock p.m., prevailing Eastern Time, and that said meeting was conducted and public notice of said meeting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

I further certify that the following Members were present at said meeting Councilmembers Beal, Belen, Benavides, Brockwell, Ford, Lilly, and Schmidt and that the following Members were absent Council President Canady.

I further Certify that Member Benavides moved adoption of said resolution and that Member N/A supported said motion.

I further certify that the following Members voted for adoption of said resolution: Councilmembers Beal, Belen, Benavides, Brockwell, Ford, Lilly, and Schmidt and that the following Members voted against adoption of said resolution: none

Marilynn Slade, City Clerk

RESOLUTION #151
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, State Senator Joe Conroy has introduced a 15-bill package of legislation in the Michigan Senate designed to give local units of government the option to change local ordinances to civil infractions; and

WHEREAS, currently violations of most Lansing ordinances are handled as criminal misdemeanors, and the ability to change these ordinances to civil infractions would be a large benefit to the City of Lansing; and

WHEREAS, the Committee on Public Services has reviewed this legislation and recommends that the City join the Michigan Municipal League, the Michigan Bar Association, the Michigan Townships Association, the Michigan Association of Counties, and the Michigan Association of Municipal Attorneys in supporting this legislation's passage into law by the Senate and the House of

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Representatives; and

WHEREAS, City Attorney Al Knot was instrumental in drafting this legislation thereby reflecting the City of Lansing's concerns;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby establishes the position of the City of Lansing in support of Senate Bills 348 through 362, which will give local units of government the option to keep their ordinances as criminal offenses or change them to civil infractions; and

BE IT FURTHER RESOLVED the Council of the Capital City urges the Michigan Senate and House of Representatives to pass these bills expeditiously; and

BE IT FURTHER RESOLVED the City Clerk is requested to send certified copies of this resolution to Senators Joe Conroy and Debbie Stabenow as well as Representatives David Hollister, Dianne Byrum, Lynn Jondahl, and Frank Fitzgerald.

By Councilmember Lilly

To amend the resolution by amending the last paragraph to add the name of Senator John Swartz

Carried unanimously

By Councilmember Benavides

To place an affirmative roll on the resolution as amended

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Benavides a resolution in support of Senate Bills 348-362 which proposes the decriminalization of violations of City ordinances

HANDLED AS RESOLUTION #151

MOTION OF EXCUSED ABSENCE

By Councilmember Belen

To excuse Council President Canady from tonight's meeting

Carried unanimously

REMARKS BY THE MAYOR

Mayor Crawford reported that in April Lansing will host a meeting of Michigan Mayors for the purpose of discussing ways of lobbying legislators. He has met with the Mayor of Grand Rapids on this subject. Council may be interested in participating in this meeting.

REMARKS BY COUNCILMEMBERS

Councilmember Lilly responded to Lloyd Teets, statement that no one on Council was fit for re-election because of the early retirement program. He was not on council when that resolution was adopted. He told his colleagues and the audience that the Planning Board directed Emanuel First Lutheran Church and the Walnut Neighborhood Association to come up with a site plan that would allow the Church to expand their school and day care. The Planning Department subsequently received a letter from the Walnut Neighborhood Association stating that they would not attend the Planning Board meeting. This meeting was held on February 18, 1993. His point is that no one at the City is holding up this request. The City is complying with the Willow/Pine Development Plan.

Councilmember Beal said that she received a call from a former City employee, Karen Letts, whose son Sam was the victim of a shooting recently. He is paralyzed in Sparrow Hospital. This family is under a lot of stress. They have had a claim against the City for many years. Will the Mayor and the City Attorney provide her with an update on this claim. The family is under duress and has suffered a tremendous tragedy. Mayor Crawford responded that a disclosure of this type should be done in closed session. The City Attorney currently has this case in litigation and they are trying to settle it. They can go into closed session for this discussion, or, he can brief Councilmember Beal on it privately.

Councilmember Ford asked that other councilmembers receive a copy of the information given to Councilmember Beal regarding this case. Tomorrow night at 6:00 p.m., is the special session of the General Services Committee, in which, they will deal with Council Rule #19 and related rules. They will be televising this meeting and the entire rule will run on TV. The telephone question and answer time will run from 6:00 to 8:00 p.m. They may have to hold an additional session.

Councilmember Schmidt reminded her colleagues that they are scheduled to meet with the School Board this Thursday at 7:00 p.m. at the Parthenon. Girl Scout Cookies are on sale. She reported walking in the Downtown Business section earlier in the week. There is a lot of litter visible. It looks trashy.

Councilmember Benavides reported that the Lansing Police Department will have a meeting at Wainwright School about the murder of Audrey Sprague. He asked Mayor Crawford to have staff present at that meeting. He has not gotten any information from the Mayor's Office about this incident. They used to get reports from the Mayor's Office when things like this happened in their wards, but he has no information on this other than what he heard on the radio and read in the paper. He announced that the Ad Hoc Committee on the Homeless will meet tomorrow morning. Mayor Crawford assured Councilmember Benavides that he will get the information regarding the Sprague murder to him. He should have been informed.

CITIZENS MAY COMMENT

Lloyd Teets of 116 E. Elm St. objected to the passage of the resolution in support of 15 Senate Bills that was submitted as a late item. They have not even read these bills. He knows enough to know that when something is decriminalized it is in effect taking rights away from people. He said Councilmember Lilly was right, he was not on Council when the early retirement resolution passed. He said he will hold a campaign fund raiser this Friday at Ramon's.

William Bernstein of 420 Baker St. set up his own public address system and was instructed by Vice-President Brockwell to remove it from the podium and utilize the City's microphone. Mr. Bernstein

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

objected to having his loudspeaker system removed. He said Council President Canady cut him off last week and that is why he brought his own sound system. He made personal remarks about Councilmember Schmidt and was cautioned by Council Vice-President Brockwell to limit his remarks to Council as a whole and not make personally slanderous remarks against individuals.

Frank Curtis of 1137 W. Allegan said that nothing Councilmember Ford, or City Attorney Knot says will justify what Council put his kids through last year. He wants reparation.

Del Maynard of 2017 Culver commended Council for acting judiciously and not granting payment to the claimant whose basement flooded. He worked as a licensed drain layer in the City for many years. The Landell system was built many years ago. It is small and undersized because so much was added to it. Denial of this claim established a precedent and they did a good job of passing it. Council, he said, should be doing everything to create housing in the downtown area. Residential housing means business for the downtown area in terms of shopping and restaurants. Mr. Johnson should be allowed to renovate his house on Allegan. The neighborhood dynamics have changed over the years. There is no one living over there anymore. There is nothing but parking lots and empty space.

Jacqueline Woodcox of 3629 Lochmoor asked Councilmembers to attend their Neighborhood Watch meeting this Thursday at 6:30 p.m. Their group, on the South Side, is worried about their kids, their property, and their property value. They have paid their taxes all these years, organized a neighborhood watch, and are trying to look out for themselves. They have a problem with Hillborn Park. It is very dark, and completely unlit. They have seen people out there. When they call 911 they get a negative response.

Councilmember Ford said that he believes that the School District will understand if Council postpones their joint meeting in order to deal with this issue.

Councilmember Beal suggested that it might be possible for the Neighborhood Watch to consider meeting at a different time so that Council could attend.

Daniel Ried of 3725 Alpine Drive expressed his concern for the safety of his wife and neighbors. There have been drive-by shootings, drug deals, and now, a homicide. The Neighborhood Watch can help, but they cannot turn their neighborhood into an armed camp and police themselves. They want to know that their tax money is spent on essential services like police and fire. Council should quit being reactive and become proactive.

Katherine Reid of 3725 Alpine said she is concerned about the way that their neighborhood needs are being met. There have been several breaking and enterings and assaults in the last 4 months. She has never seen a Police car patrolling the area. The City must hire more Police Officers. She asked that Council attend their Watch meeting.

Vice-President Brockwell announced that Nancy Erickson from the Lansing School District has called and offered to move their meeting up to 7:30 p.m. to allow Council to attend the Neighborhood Watch meeting.

Linn Simon of 3622 Lochmoor said she lives directly across the Street from where an assault occurred. A couple of thugs kicked in the door and assaulted a woman. Now they have had a murder. A woman is dead. They are scared. Two months ago they ordered Neighborhood Watch signs, but they do not have them yet. Maybe the signs would help. Hilborn park is a gateway for criminals. It needs to be lit, or closed down. People are jumping in and out of backyards and using the park as an alleyway. She asked why 911 Emergency Services kept this woman on the phone for 5 minutes. Where were the police?

Ammahad Shekarrakki of 902 W. Willow said he has a problem with language in this area. People use code words like; drug dealers, prostitutes, and pimps to refer to black people. Blacks are offended by this.

Tim Lewis of 500 S. Pine #1015 said he will be here tomorrow to speak to Council Rule #19. He has read the existing rule at least 6 times and thinks it is redundant. He asked Councilmember Ford if street addresses have to be on residences and buildings. The building he lives in does not have the address on it. Councilmember Ford said they will check on this and get back with him.

Harold Leeman of 529 N. Francis asked Councilmember Benavides if the Committee on Ways and Means will take up the issue of outside legal fees this week, or will Committee of the Whole. He asked Mayor Crawford about the quarterly reports from the Lobbyist for the City. Mr. McKinney has not submitted a quarterly report since September 1992. He has one overdue. There are still two appointments that need to be made to the Lansing Center. Will new appointments be made, or will the existing appointments be changed to five year terms as Ms. Huguley has indicated? Regarding the City of Lansing v Rose, the outside attorney representing the City in this case did a very bad job.

Douglas Fairbanks of 2107 Seventh Ave. said that he hopes the seating arrangement of the dais will stay the same whether Councilmembers win their bid for re-election or not.

ADJOURNED 10:15 P.M.
MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, March 15, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
March 15, 1993

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Canady

PRESENT: Councilmembers Beal, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

ABSENT: Councilmember Belen

The Invocation and Pledge of Allegiance were led by Councilmember Ford

CONSIDERATION OF LATE ITEMS

By Councilmember Beal

To accept the following under Suspension of the Rules

1/ From Councilmember Beal a letter from Jerry Stine, Owner of Unique Furniture Store at 427 E. Michigan Ave. regarding the loss of business to his store because of construction on the Lansing Center

2/ From Councilmember Ford a letter from Robert and Linda M. Bush regarding the televised General Services Committee meeting to accept public input on Council Rule #19

Carried unanimously

3/ From Councilmember Brockwell a Motion that Council move into a Committee of the Whole meeting for the purpose of reporting out the Labor Contract for F.O.P. #141

Carried unanimously

This regular session of the City Council of the City of Lansing moved into a Committee of the Whole meeting for the purpose stated above.

By Councilmember Lilly

To favorably report out the resolution approving the Labor Contract for F.O.P. #141 for City Council's consideration.

Carried unanimously

By Councilmember Brockwell

To return to the regular session of City Council

Carried unanimously

SCHEDULED PUBLIC HEARINGS

There were no Scheduled public Hearings

PUBLIC COMMENT

Harold Leeman of 529 N. Francis asked to have the resolution ratifying the Labor Contract for F.O.P. #141 read aloud. He asked for information regarding the amount of money involved in this contract and transfers it would necessitate. He requested that Councilmember Lilly discuss the Committee Report regarding Fairview Park, and that Councilmember Beal explain the resolution on the City Market rental fees. Regarding the Internal Audit Committee, he asked for an explanation of what has happened with this department. He expressed concern that Council make sure that all books are properly reviewed to maintain public confidence.

SPECIAL CEREMONIES

There were no Special Ceremonies

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Canady

Carried unanimously

A. Letter from Harold Leeman of 529 N. Francis regarding property at 805 Jerome Street

REFERRED TO THE MAYOR

B. Letter from Business Radio Licensing of P.O. Box 6958, Laguna Niguel, CA regarding the expiration of the City's FCC license

REFERRED TO THE MAYOR

C. Letter from the Ingham County/City of Lansing Community Corrections Advisory Board regarding modification to the Residential Probation Center and Volunteers in Probation Programs

RECEIVED AND PLACED ON FILE

D. Letter of appreciation from Thad R. Shumway of 3505 Ruth St. for the installation of No Parking Zone signs in his neighborhood

RECEIVED AND PLACED ON FILE

E. Letter from Calvary United Methodist Church of 1919 S. Pennsylvania regarding the Action Auto property at the corner of Mt. Hope and Pennsylvania Ave.

REFERRED TO THE MAYOR

F. Letter from the Ingham County Controller regarding the City of Lansing's proposed Cat Ordinance

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

G. Letter from the Michigan Department of Transportation submitting the contract for Dunckel Road at the Southbound ramp of Highway I-496

REFERRED TO THE MAYOR

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

MAYOR MAY COMMENT

Mayor Crawford reviewed his letters on tonight's agenda regarding the Labor Contract for F.O.P. 141, the Administrative Reorganization, the Ingham County proposal for a Soccer Complex, and the letter from the Greater Lansing Convention/Visitors Bureau regarding term lengths on their board.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. **RESOLUTION #152**
March 15, 1993

President Canady and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Robert L. Grantham, Mark Waterhouse

Sincerely,
Marilynn Slade, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of March 8, 1993 for Review

RECEIVED AND PLACED ON FILE

C. Annual Evaluations submitted from the following City of Lansing Boards:

1. Board of Public Service
2. Park's Board
3. Plumbing Board
4. Electrical Board
5. Building Board of Appeals
6. Human Resources Advisory Board
7. Human Relations Board

RECEIVED AND PLACED ON FILE

D. Letters from the Mayor re:

1/ Resolution for Labor Contract, FOP #141

REFERRED TO THE COMMITTEE OF THE WHOLE

2/ Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

3/ Appointment of Dave Berridge to the Downtown Mall & Environs Board

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

4/ Ingham County Proposal, Parcel D/Soccer Complex

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT AND
THE COMMITTEE ON WAYS AND MEANS

5/ Letter Extending Term Limits, Greater Lansing Convention/ Exhibition Authority Board

REFERRED TO THE COMMITTEE OF THE WHOLE

6/ Administrative Reorganization

REFERRED TO THE COMMITTEE OF THE WHOLE

COMMITTEE REPORTS

RESOLUTION #153
THE COMMITTEE ON GENERAL SERVICES, to whom was referred the report from the City Clerk regarding a request from Steve's Pub, Inc., for a new outdoor service permit to be held in conjunction with a 1992 Class C licensed business, located at 333 South Washington Mall,

REPORTS AS FOLLOWS: The Committee recognizes that the normal review procedure was observed for this application, including approvals by the Zoning Administrator, the Building Commissioner, and the Chief of Police. This application, however, is for outdoor service on the sidewalk of the South Washington Mall by a Class C-licensed business, which allows on-premise sale and consumption of beer, wine, and spirits, and City action on this application will likely set a precedent. The Mall Advisory Board has recommended approval of a City permit for this establishment to use their sidewalk for outside sales, but the City permit is different from the outdoor service permit requested from the Michigan Liquor Control Commission. The Committee hereby refers this matter to the Mall Advisory Board and to the Mayor for a coordinated recommendation.

This report is for information only, and no Council action is required at this time.

Signed: Charles Ford
Alfreda Schmidt
Robert Brockwell

BY COUNCILMEMBER FORD:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #154
THE COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the Mayor's recommendation to acquire Fairview Park from the State of Michigan,

REPORTS AS FOLLOWS: The Committee heard an informational report from the Ingham County Drain Commissioner regarding the portion of Fairview Park needed for the Toll Gate Drain. The Drain Commissioner is working with the Mayor and City Attorney, as well as Lansing Township and the State Legislature, to develop a legal framework for ownership of property needed for the drain by the Drain Commissioner. This matter is pending in committee, and no action is necessary at this time.

Signed: Richard J. Lilly, Chair
Mark H. Canady

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Lucile E. Belen

BY COUNCILMEMBER LILLY:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #155
Z-17-92 March 11, 1993
5139 Balzer St./5200 S. Dr. Martin Luther King, Jr. Blvd./Logan St.

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of the rezoning petition Z-17-92 5139 Balzer St./5200 S. Dr. Martin Luther King, Jr. Blvd./Logan St. which is a request by Howard Soldan of Soldan's Feeds and Pet Supplies to be rezoned from "A" Residential District to "F" Commercial and "J" Parking Districts.

REPORTS AS FOLLOWS:

That the request for said rezoning be approved.

SIGNED: RICK LILLY
Lucile Belen
Mark H. Canady
COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Lilly:

Carried unanimously

RESOLUTIONS

RESOLUTION #156
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, A. Gregory Eaton has applied to the Michigan Liquor Control Commission to transfer ownership of a 1986 Class C licensed business with Dance Permit, located in escrow at 1213-1215 Turner Street, from Mustang, Inc., Lloyd H. Kempf, Interim Trustee, with the license to remain in escrow; and

WHEREAS, the City Clerk has reported that the application has been reviewed and approved by appropriate City staff; and

WHEREAS, the Committee on General Services has reviewed this matter and recommends that the application be forwarded to the Commission with a positive recommendation;

NOW, THEREFORE, BE IT RESOLVED by the Lansing City Council that the request from A. Gregory Eaton to transfer ownership of a 1986 Class C licensed business with Dance Permit, located in escrow at 1213-1215 Turner Street, from Mustang, Inc., Lloyd H. Kempf, Interim Trustee, with the license to remain in escrow, is hereby recommended for approval.

March 15, 1993

By Councilmember Ford

Carried unanimously

RESOLUTION #157
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Anh Baur filed a claim against the City in the amount of $328.85 in protest of a special assessment against her rental property located at 714 South Fairview for a trash removal by the City's contractor; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim, which was concurred in by the Claims Review Committee; and

WHEREAS, the claimant appealed the denial to the City Council and appeared before the General Services Committee, furnishing testimony and evidence in support of the claim; and

WHEREAS, the Committee found that the claimant did remove many of the items listed in the inspector's violation notice by the time the City's contractor arrived to perform the clean-up, but some items remained on the property, as evidenced by the contractor's before-and-after photographs, and the special assessment covers the contractor cost and administrative charge for the trash actually removed by the contractor; and

WHEREAS, the Committee recommends that this claim appeal be denied;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to uphold the Claims Review Committee's denial of the claim of Anh Baur; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

March 15, 1993

By Councilmember Ford

Carried unanimously

RESOLUTION #158
BY COMMITTEE ON PHYSICAL DEVELOPMENT AND
COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, it is the policy of the City Council of the City of Lansing to undertake and promote activities aimed at the preservation and improvement of its residential neighborhoods; and

WHEREAS, the City Administration has been working with residents of the South Central Neighborhood Area to develop a strategy to upgrade and improve their neighborhood; and

WHEREAS, the City Administration has reported that the Master Plan for the neighborhood calls for upgrading and improvements which can best be accomplished by means of housing rehabilitation activities, with some limited acquisition and clearance to reduce housing density and improve lot patterns in the area; and

WHEREAS, the Mayor has endorsed the request to purchase two properties and recommended that they be implemented with Community Development Block Grant Program funds; and

WHEREAS, the City Charter and Chapter 208 of the Codified Ordinances of the City of Lansing require City Council approval of the acquisition and disposition of real property;

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Lansing that the City Administration be and is hereby authorized to purchase 222 West Barnes Avenue, more particularly described as:

The East 16 feet of Lot 6 and the West ½ of Lot 7, Block 3, Park Place in the City of Lansing, Michigan.

BE IT FURTHER RESOLVED that, subsequent to acquisition, the City Administration is authorized to convert this home to a single-family use to cause it to be rehabilitated which the final result to be a homeowner occupying the property.

BE IT FURTHER RESOLVED that the City Administration be and is hereby authorized to acquire 125 West Moores River Drive, more particularly described as:

The East ½ of the North 124.75 feet of Lot 9 and the East 17.5 feet of the South 32 feet of Lot 9, Block 2 Park Place City of Lansing, Michigan.

BE IT FURTHER RESOLVED that, subsequent to acquisition the City Administration is authorized to demolish the structure, located on 125 West Moores River Drive and to split the property so as to achieve increased lot sizes for the three homes that front on Coleman Avenue; and

BE IT FINALLY RESOLVED that the costs associated with these acquisition, clearance, and rehabilitation activities shall be charged to the appropriate accounts of the City's Community Development Block Grant Program.

By Councilmember Benavides

Carried unanimously

RESOLUTION #159
PHYSICAL DEVELOPMENT COMMITTEE

ACT-2-90—Alley off 1200 Block North Washington Avenue

WHEREAS Wayne C. Foster of Foster Properties requested the vacation of the alley of the 1200 block of North Washington Avenue in order to secure the alley with fence gates. The property on either side of the alley is owned by Foster Properties, including Estes Furniture Company, and

WHEREAS the applicant has requested the alley vacation so that it may be secured with fencing; however, arrangements must be made with the Fire Department and other utilities to provide access to the alley in the case of fire or other emergency, and

WHEREAS the Planning Board recommended the alley, which is a deeded alley, be sold to Foster Properties with the exception of the east twenty five (25') feet and while retaining utility easements over the portion sold, and

FURTHER that the City receive, in consideration for the alley, an easement for adequate and reasonable access from Grand River Avenue along the river to the twenty five foot section of the alley which is not vacated. This access would be across the vacant property formerly known as 121-123 East Grand River Avenue with the idea that a river overlook could be constructed, and

WHEREAS the Physical Development Committee of Council concurs with the Planning Board's recommendation,

NOW THEREFORE BE IT RESOLVED that the City Council hereby approve the sale of the alley except the east twenty-five (25') feet while retaining utility and pedestrian easements as recommended by the Planning Board, and more particularly described as

The North 20 feet of the South 100 feet of Lot 2 except the Easterly 25 feet thereof. ALSO the North 20 feet of the South 34 feet of Lot 4, Block 32, Original Plat, City of Lansing, Ingham County, Michigan

BE IT FINALLY RESOLVED that the City Administration be directed to prepare and execute the appropriate documents to complete this transaction with the purchaser paying all closing costs.

By Councilmember Lilly

Carried unanimously

RESOLUTION #160
BY THE COMMITTEE ON PUBLIC SERVICES
AND THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on May 7, 1991 the City Council adopted the City of Lansing Five Year Recreation Plan including the Capital Improvement Plan for 1990 thru 1994: and

WHEREAS, in order to be eligible to receive grant funds from the State of Michigan Department of Natural Resources, and in order to receive Park Millage Funds, projects must be contained in the five year Capital Improvement Plan; and

WHEREAS, DNR Grant Funds are currently available for projects contained in the City's Capital Improvement Plan, with required matching funds available from Park Millage Funds; and

WHEREAS, the Mayor has recommended that the City apply for grant funds for the following projects:

1. Play equipment at Davis, Frances, Hunter and Washington Parks.

Grant Funds: $210,000
Local Match: $70,000

2. Extension of the River Trail from Elm St. to Washington Ave.

Grant Funds: $287,250
Local Match: $95,750

3. Renovation of Frances Park pavilion, overlook, and parking lots.

Grant Funds: $122,500
Local Match: $122,500

4. Expansion of Washington Ice Rink warming area, restrooms, and changing rooms.

Grant Funds: $157,500
Local Match: $52,500

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby authorizes the Mayor to submit grant applications to the Michigan Department of Natural Resources for the capital improvement projects delineated above.

By Councilmember Benavides

To place an affirmative roll on the resolution and set a public

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

hearing for March 29, 1993

Carried unanimously

RESOLUTION #161
BY THE COMMITTEE ON PUBLIC SERVICE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of John Decker to the Downtown Mall Advisory Board for a term to expire February 1, 1996, is hereby confirmed.

March 15, 1993

By Councilmember Brockwell

Carried unanimously

RESOLUTION #162
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Committee on Public Services has reviewed the progress of the proposed Market Management Board, including the proposed Articles of Incorporation and Business Plan, Board Composition, and an update on vendor recruitment activities; and

WHEREAS, representatives of the Management Board believe that all necessary actions to transition management of the Municipal Market will be completed by May 1, 1993; and

WHEREAS, representatives of the Management Board have stressed that a number of concerns need to be addressed immediately, including the continuation of the current rate structure, endorsement of an outdoor "Farmer's Market", and authorization to enter into "Memorandums of Intent to Lease" with prospective vendors who have been recruited by representatives of the proposed board.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby extends the current rental rate structure of $13.50 per square foot per year, as adopted in Council Resolution #625 of 1992, until May 1, 1993; and

BE IT FURTHER RESOLVED that the Council requests the Mayor to review the financial position of the Municipal Market, and to forward specific recommendations regarding rental rates to be levied after May 1, 1993; and

BE IT FURTHER RESOLVED that the City Council endorses the operation of a Saturday Outdoor Farmer's Market consistent with the proposal submitted by representatives of the proposed board; and

BE IT FURTHER RESOLVED the City Council requests the Mayor to authorize representatives of the proposed board to allow them to enter into "Memorandums of Intent to Lease" with vendors recruited through the efforts of the proposed board; and

BE IT FINALLY RESOLVED that the Mayor and Parks Staff is requested to provide the support necessary to successfully transition the management of the Municipal Market.

March 15, 1993.

By Councilmember Brockwell

To accept a substitute resolution for the original in the packet

Carried unanimously

By Councilmember Brockwell

To place an affirmative roll on the substitute resolution

Carried unanimously

RESOLUTION #163
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, City Charter Section 3-404.1 requires the City Council to obtain external audits of all City accounts; and

WHEREAS, for the past five years the City Council has utilized an Audit Committee to assist them in this process; and

WHEREAS, due to consolidations and reorganizations it is necessary to revise the composition of the Audit Committee; and

WHEREAS, the Finance Director, the Deputy Controller, and the Internal Auditor have primary responsibilities associated with the external audit; and

WHEREAS, the Internal Auditor of the Board of Water and Light and the City Purchasing Supervisor possess expertise that will benefit the Audit Committee.

NOW, THEREFORE, BE IT RESOLVED the Audit Committee shall be comprised of the Finance Director, the Deputy Controller, and the City Internal Auditor; and

BE IT FURTHER RESOLVED that the Audit Committee shall formulate and recommend, to the Ways and Means Committee, audit firm qualifications and audit specifications, and shall also recommend an independent external auditor; and

BE IT FURTHER RESOLVED that the BWL Internal Auditor and the City Purchasing Supervisor are requested to sit on the Audit Committee as Ex-Officio Members; and

BE IT FINALLY RESOLVED that a member of the Ways and Means Committee may also serve as an Ex-Officio Member at the direction of the Ways and Means Chairperson.

March 15, 1993.

By Councilmember Benavides

Carried unanimously

RESOLUTION #164
WHEREAS, the City of Lansing and the Capitol City Lodge #141, Fraternal Order of Police, Non-Supervisory Division have negotiated a labor agreement for the period covering January 15, 1993 through January 22, 1994; and

WHEREAS, the Non-Supervisory unit membership has ratified this agreement; and

WHEREAS, the Mayor has recommended that the contract be approved; and

WHEREAS, the City Council has reviewed the contract provisions; and

WHEREAS, the proposed agreement is within the parameters established by the City and within budget limitations;

NOW, THEREFORE BE IT RESOLVED, that the City Council hereby ratifies the contract between the City of Lansing and the

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Capitol City Lodge #141, Non-Supervisory Division for the period January 15, 1993 through January 22, 1994; and

BE IT FURTHER RESOLVED, that the Committee of the Whole authorizes the Administration to process the necessary transfers to the appropriate salary and fringe benefit accounts to fund this agreement.

By Councilmember Brockwell

To suspend the Rules to allow for passage of this resolution at this time.

Carried unanimously

By Councilmember Brockwell

To place an affirmative roll on the resolution

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

BY COUNCILMEMBER LILLY:

That we move to passage of ordinances.

BY COUNCILMEMBER LILLY:

That Ordinances, when read, be considered as being read in their entirety.

BY COUNCILMEMBER LILLY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-17-92, 5139 Balzer/5200 S. Dr. Martin Luther King, Jr. Blvd./Logan St. from "A" Residential District to "F" Commercial District be placed on order of immediate passage.

BY COUNCILMEMBER LILLY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-17-92, 5139 Balzer/5200 S. Dr. Martin Luther King, Jr. Blvd./Logan St. from "A" Residential District to "F" Commercial District be now passed.

YEAS: Councilmembers Beal, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

NAYS: None

ABSENT: Councilmember Belen

ORDINANCE #2356

AN ORDINANCE OF THE CITY OF LANSING MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-17-92, 5139 Balzer Street/5200 South Dr. Martin Luther King, Jr. Blvd./Logan Street

Parcel Number: 3305-17-202-031

Legal Description: The east 75 feet of Lot 19, Supervisors Plat of Balzer's Sub, City of Lansing, Ingham County, Michigan

From "A" Residential District to "F" Commercial District; and the west 50 feet of the east 125 feet of Lot 19, Supervisors Plat of Balzer's Sub, City of Lansing, Ingham County Michigan

From "A" Residential District to "J" Parking District

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage

MARILYNN SLADE, CITY CLERK

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Beal a letter from Jerry Stine, Owner of Unique Furniture Store at 427 E. Michigan Ave. regarding the loss of business to his store because of construction on the Lansing Center

REFERRED TO THE MAYOR

2/ From Councilmember Ford a letter from Robert and Linda M. Bush regarding the televised General Services Committee meeting to accept public input on Council Rule #19

RECEIVED AND PLACED ON FILE, AND READ INTO THE RECORD AT THE REQUEST OF COUNCILMEMBER FORD

Mr. & Mrs. Robert F. Bush
6020 Chesapeke Drive
Lansing, MI 48911

March 12, 1993

Councilman Charles Ford
Chairman, General Services Committee
City Hall, 124 W. Michigan Avenue
Lansing, MI 48933

Dear Councilman Ford:

We watched with a great deal of interest the televised General Services Committee meeting held on Tuesday, March 9, 1993. In fact, one of us participated in the call-in portion of your show.

After some further thought, we wanted to share the following suggestions with you.

1. Copies of Rule 19 could be made available to all persons who attend a Monday night Council Meeting. Perhaps they could be located on the table where Mr. Bernstein sits? If rule 19 is made available to the public, there would be no way for someone to use ignorance as an excuse. Particularly, when they are called out of order and asked to please take their seat.

2. Soapbox Comments seem to be serving the same people each week and we see no further use for this service. Had it been used as it was intended, it would be a great service to the public, but as it is now, it is a waste of our tax dollars.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

3. We see no reason to increase the Public Speaking time. If a person has his thoughts in order, three minutes should be more than enough time.

4. Also, definition should be made as to when public comment turns into public harassment. Frankly, it is embarrassing whether we are watching on television or present in the chambers when a person starts hollering at the council or persistently calls councilmembers names. What kind of image does this leave with people who are sincerely interested in Lansing government? Not a very positive one. Control seems to be the operative word here.

5. Lastly, when one steps off the elevator to enter the Chamber, it is almost shocking to be greeted by the wave of signs Mr. Bernstein has been allowed to display outside the doors. We believe in freedom of speech as much as anyone, but couldn't these signs be removed to the outside of the building? It would not be quite so offensive and Mr. Bernstein would still be able to demonstrate his right to freedom of speech.

We appreciate all that the Council does for the City and its residents and we realize that it is a time consuming full time—part time job!

Sincerely,
Robert F. Bush and Linda M. Bush

3/ From Councilmember Brockwell a Motion that Council move into a Committee of the Whole meeting for the purpose of ratifying the Labor Contract for F.O.P. #141

FOLLOWING COUNCILMEMBER BROCKWELL'S MOTION AND UNANIMOUS VOTE, COUNCIL MOVED INTO A SESSION OF THE COMMITTEE OF THE WHOLE FOR THE PURPOSE OF FAVORABLY REPORTING OUT THE RESOLUTION RATIFYING THE LABOR CONTRACT FOR F.O.P. #141, THIS ITEM WAS LATER HANDLED AS RESOLUTION #164

MAYOR'S COMMENTS

Mayor Crawford announced that the City has extended the time limit for removing wreaths and artificial flowers from grave sites in City Cemeteries to April 1, 1993 because of the amounts of snow we have received. He announced that the City will be conducting a trip to sister cities in Japan. Anyone interested may contact Jo Flaherty from his office.

COUNCILMEMBER'S COMMENTS

Councilmember Brockwell said he enjoyed the General Services Committee meeting regarding Rule #19 last Wednesday night. They received a lot of response, both positive and negative criticism. He wanted to acknowledge the situation in which Mr. Bernstein became ill. It was necessary for them to call Emergency 911. Councilmember Schmidt stayed at Mr. Bernstein's side throughout his ordeal until paramedics arrived. He commended her for her response to Mr. Bernstein's needs.

Councilmember Schmidt reported reading the Annual Evaluation of the Public Service Board. The report makes specific recommendations that she has questions about. Regarding the recommendation that the City's annual fee for the Composting-/Recycling Program remain at $55.00 and that the City expand the list of recyclable material they collect by two items. What two additional items are they recommending? Regarding the cleanup of Crego Park. She would like to be kept informed as grant applications are submitted to the Department of Natural Resources and as the cleanup progresses. She received a letter from Susan Curtis of the Forrest View area regarding Council Proceedings. This is an excellent letter and offers good suggestions they can look into. Please take special note of her suggestions.

Councilmember Ford said he felt the televised General Services meeting held Wednesday evening went very well. He thanked Ron Onufer and Karen Schmidt from Council staff and the volunteer camera operators Paul Scott and Dave Wilson. Their efforts are greatly appreciated. Forty-two people addressed the Committee that evening, some in person, and some via the telephone. His reason for having the letter read tonight is that it is representative of the greatest number of comments that were made at that meeting. Many people expressed their thanks to Harold Leeman and Lloyd Teets for serving as watchdogs of City Council. There was concern expressed that Councilmembers talk during session while other business is being conducted. They may need to look at this. Perhaps Councilmembers should be more aware of whether or not their microphones are on when they are talking amongst themselves. There was some support for a request that Citizen Comment be moved back to its' previous time spot on the agenda, however, people did agree that Citizen Comments should be limited to City business. They received several suggestions that Special Ceremonies be held before Public Hearings. The General Services Committee will be taking all of these things into consideration. Some comments are being reduced to writing for Committee consideration. The Committee will meet this Wednesday at 3:30. He commended Councilmember Schmidt for her response to Mr. Bernstein's medical emergency. She responded very well, telephoned emergency services and stayed with Mr. Bernstein until help arrived.

Councilmember Beal asked if there is a meeting this Thursday with outside legal counsel? President Canady responded that this meeting is scheduled for March 29, 1993 at 6:00. Councilmember Beal asked that the letter from former Mayor Graves be taken up at that meeting. She is interested in the comments from Judge Stell directing the City and outside representation to settle this matter. She believes that would be in the best interests of the City. She thanked Eric Reickel and Leeann Murray from the Parks and Recreation Department for their help in addressing the request from Mr. Berger regarding croquet at Ranney Park.

Councilmember Benavides reported that the Ways and Means Committee will meet this Thursday and the issue of the 7 Block Development Area will be discussed. It has been difficult to put all of these pieces together. Six, or Seven different projects are going on at once within this Development. They are making progress, not as fast as people may like, but there are a lot of questions and information that needs to be dealt with by the Committee. He said he hopes no one is disappointed in their progress. They hope to report the first two parts of the project to the Committee of the Whole with a master plan that details each block and where everything is coming from and where the money is going to.

PUBLIC COMMENTS

Russ Terry of 121 E. Mt. Hope said that the early retirement of City personnel was done under the table and is not a good example from Councilmembers. He commended Councilmember Beal for

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

voting no on the resolution. The remainder of Councilmembers did not do their job, he said, this should have been brought before the public.

Kathy Reid of 3725 Alpine Drive thanked Councilmembers for attending their Neighborhood Watch meeting last Thursday night. There were representatives from the Ingham County Board of Commissioners present at the meeting, representatives from the School Board, and Councilmembers. They addressed a lot of neighborhood concerns. They are planning another meeting, and she will inform Council of the date. She volunteered to serve on the task force that has been proposed.

William Smith of 222 N. Hosmer said he has appeared before Council once before in the last three months regarding his arrests for trespassing at Capital View Nursing Care Center. He goes there to see his wife of 29 1/2 years and he will not back off from his visits to her. Neither Judge Felice, nor Judge Cherry show any interest in hearing of the situation. City Ordinance says that, if you have the invitation of a resident, you are not trespassing. There is some conflict between City Ordinance and State Statute in this matter. He allowed these people to intimidate him and prevent him from visiting his wife for 6 months. He will be on trial April 8, 1993 on a trespassing charge in front of Judge Cherry.

Paget Maynard of 902 W. Shiawassee said he mailed a letter to President Canady and has received no response. His letter was dated February 17, 1993. This confirms what people have told him about Council not being responsive. He learned that a business not far from these chambers will close their doors tonight for the last time. Jim's Tiffany Place has been in business in the downtown area for 70 years. This means more unemployment. Could this have been avoided? He commended Councilmember Schmidt for her reaction to Mr. Bernstein's illness. She has taken a lot of criticism from him, but, she still came out on his side.

Harold Leeman of 529 N. Francis repeated his request that Council discuss the F.O.P. #141 Labor Contract, and his request that Council obtain a quarterly report from their lobbyist. He requested that the Ways and Means Committee obtain details on the $100,000 transfer requested for the Law Department. He said that many of the complaints regarding the background noise being made by Councilmembers was regarding Councilmember Belen leaving her mike on while talking and pouring water.

Douglas Fairbanks of 2107 Seventh commended Councilmember Schmidt and welcomed President Canady back after his illness last week.

Ruth Peoples, no address given, said the problem she has in hearing Councilmembers on Monday nights comes from the noise made by the audience.

ADJOURNED 8:20

MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, March 22, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
March 22, 1993

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Canady

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Lilly, Schmidt

ABSENT: Councilmember Ford (arrived 7:05 P.M.)

The Invocation and Pledge of Allegiance were lead by Councilmember Lilly

MAYOR CRAWFORD PRESENTS
FY 1993/1994 BUDGET MESSAGE

March 22, 1993
Council President Mark Canady and City Councilmembers
10th Floor City Hall
Lansing, MI 48933

Dear President Canady and Councilmembers:

Tonight, in my first annual budget message, I would first like to point out what your Mayor would be telling you if we had ***not*** taken strong and deliberate action to cut our costs, and if we were ***not*** redefining the way City Hall works.

First, he would tell you that the City is, once again, in a financial crisis and must cut your services and raise your taxes by some two mills. But, *I'm* not telling you that.

He might be telling our workers that their jobs are insecure and they face imminent layoff. But, *I'm* not telling you that.

He might tell you that we must raise building and recreation and trash collection fees because our rates no longer cover the costs for these services. But, *I'm* not telling you that.

He might tell you that we can no longer afford to maintain our commitment to help those in need in our community.

He might even tell you that public safety services must be reduced, like they are being reduced in many communities around the Country. But, *I'm* not telling you that.

But here's what I *am* telling you: my proposed general fund budget of $79,808,681 maintains the existing tax rate of 15.04 mills for operations, including the 1.0 mill levy added by voters for Parks Improvements and it maintains 2.36 mills for debt service.

I *am* telling you that my proposed budget fully funds our long term commitment to the needy within our community. It allocates one percent of general fund revenues, plus $75,000 for grant match, plus a dedicated portion of money received from our cable franchise fee.

I ***am*** telling you that my proposed budget provides new technology to the police department, through 911, to enhance police response. It provides facilities for more female police officers. It places all Police Community Services programs in a single location, for better communications and better service.

My budget expands our commitment to recycling and makes our refuse program even more efficient than ever.

My budget meets the intent of the dedicated one mill for Parks improvements, entrusted to us by the voters, by funding $1,551,443 for park design, improvements, and repairs.

My budget provides for the purchase of a new ambulance for the Fire Department.

My budget ***even*** maintains our commitment to arts and culture within Lansing, fully funding designation of cable franchise revenue.

But, most important to me, my budget focuses on our neighborhoods and their long neglected infrastructure. For the first time in the memory of those still working in City Hall, we will fully fund the estimated annual deterioration in local streets. We will begin to address deferred local street maintenance needs...***and*** we will do so without incurring more debt to further burden our taxpayers and our children. The $2,700,000, from all sources, that we will invest for this purpose will not only help our neighborhoods, but also provide jobs for some of our residents.

My budget also provides direct assistance to neighborhood groups, because I propose that we appropriate $120,000 to help our citizens make Lansing a better place to live and raise our families. I will work with my new Neighborhood Advisory Committee in selecting needs and projects, in each of our four wards.

Strong neighborhoods are our first priority. Our commitment to strong code enforcement will be even stronger, thanks to a reorganization plan that will cut through red tape with an unprecedented ward team approach. I will ***personally*** monitor the progress of this reorganization, because while I am Mayor, the impact of our actions on neighborhoods will be the first factor in ***every*** decision I make.

Before you accuse me of painting an overly optimistic picture of our financial well-being, I must tell you that, despite our progress, we are still faced with a multitude of critical issues which require our attention.

Like the homeowner with a few hundred dollars in the bank and a bad roof on his house, financial well-being is defined by both how much money you ***have,*** and how much money you ***need.*** Lansing has not adequately invested in its infrastructure since at least the mid-1980's, when the Federal Government withdrew local government revenue sharing. At that time, we used revenue sharing to fund Police salaries, allowing Lansing to spend local

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

funds for capital improvements.

But that was then; this is now: A ***preliminary*** list of infrastructure needs totals more than ***$25,000,000.*** Much of our infrastructure dates back to the immediate post World War II period, or before and is now reaching the end of its design life. While we will take the first steps to rectify this long term neglect by beginning to repair our neighborhood roads, we will have to constantly look for new ways to pay for these needs. We will constantly need to restrain our operating costs if Lansing is to be a quality place to live.

Our infrastructure problems are compounded by ever-increasing Federal mandates without corresponding funding, requiring service improvements at extraordinarily high cost. Federal requirements to abate combined sewer overflow to our rivers is a prime example. Though laudable in purpose, this mandate will cost $176,000,000, in current dollars. It's going to cost even more to meet storm water runoff requirements of the Clean Water Act.

Infrastructure is not only critical to the quality of life in our neighborhoods, but it is also absolutely essential to attract and retain good jobs. Efficient sewer, water, streets, power, and public services are analyzed by business when making decisions to locate or relocate jobs. Our operating and infrastructure decisions must be made with a constant eye on Lansing's competitive position as a place to live and do business.

In this regard, it appears that sewer rates will increase less in the upcoming year than any period in the last decade.

Basic infrastructure represents a long term investment in roads, sewers, bridges, and equipment. Unfortunately, it is often easier for politicians to ignore its slow, almost invisible, decline than to say "no" to fancy new projects with ribbon cuttings and glitz, or to say "no" to new services sought by their constituencies. But failure to address the maintenance needs of basic infrastructure violates public trust. Costs escalate and quality of life declines, not only for ourselves, but for our children. Those who can leave, flee. Those who can't are left without resources or hope. This will ***not*** happen to Lansing on ***my*** watch.

Another critical area is our parking system expansion and redevelopment effort. Combined with the recession and State cutbacks, this effort has left the Parking Fund in a difficult financial condition. I will take the lead in resolving this problem by making recommendations to you and providing alternatives.

Like every family in America, like every business and every ***other*** governmental agency, the cost of health care is stealing our future, and our children's future. It is one of ***the*** most serious concerns of our citizens, and certainly of our employees and we all are, at once, anxious and concerned of the direction the Federal Government may take. On a daily basis we read stories of reductions in coverage to retirees and workers throughout America. Many in our community are without basic coverage. There is suspicion between labor and management at every level.

With our revenues increasing at less that 3% and our health care costs increasing an average of 15%, it is clear that we must resolve this problem or face disaster. We cannot rely, solely, on the pledges of the Federal Government to resolve this problem for us. We have had some limited success in achieving health care cost savings, and this will be accentuated by containing benefit levels for any newly hired positions under my reorganization. Both our Teamster units and our Police Supervisory unit have cooperated in this effort. I am pleased to announce that the International Association of Firefighters and the Fraternal Order of Police, Non-Supervisory Unit have agreed in their current contracts to join as a team, with management, to look at needs and options in restraining health care costs. We will work together, to break down the suspicions between us, to look at the facts, and to make rational choices—because doing so is in everyone's best interest.

I am particularly proud of this approach because it is indicative of my firm belief that we must break down the barriers to communication within City Hall, and between City Hall and the people of Lansing. When I agreed to take this job—and, believe me, it was done after much soul searching and concern for the impact its demands would have on my family—I vowed that my administration would ***not*** be business as usual. We are breaking down territorial barriers and learning to work together toward the common goal of serving the citizens of Lansing. We must, and ***will*** do a better job of communicating... saying what we mean, and doing what we say. Many of the decisions we face are complex. The explanations do not fit in 30-second sound bites on the evening news. We must ask our citizens to be informed and we must help them. The list of our needs is long and each decision we make precludes another course of action. We must explain our decisions clearly. We must give our citizens a voice and listen to them when they talk. We must trust them to discern between sincere disagreement and those who are acting for their own ends. We must direct public discourse toward policies which are in the long term interest of our City, rather than shortsighted and short term goals. We ***must*** restore trust in local government.

We are doing so by our actions. Together, my proposed reorganization and the resulting budget, exceeds the savings which we promised last spring. It maintains critical services, ***and*** reduces administrative cost, red tape and bureaucracy, which had paralyzed a City Hall entrenched in bureaucratic routine.

Our citizens want proof that City Hall really has changed for the better. That proof must be in our actions. While the Charter says that my reorganization ***can*** become effective, after a period, without your concurrence, I ask that you join me by acting in the near future. Your positive approval allows our services to be brought back to acceptable strength, and our assumptions tested and, if necessary, refined. Then—and only then—will our citizens be able to judge the true impact of our actions. I commend City Council for its plan to quickly consider our reorganization plan.

I am not asking you to give my plan only cursory review. I am asking you to devote the necessary time and resources to your deliberations as soon as possible. I and my staff will make ourselves available to assist you in your deliberations, and discuss any alternatives or concerns, as our first priority. Then, at last, we can get back to our most important mission: delivering services.

In closing, I would like to thank you and the people of Lansing for the most fascinating challenge and personally stimulating experience of my career. Despite the callous and cynical attitude of some in the public, most of us in public life are here to serve. I am attacking Lansing's problem's with all of my energy. God willing, we will succeed.

Finally, I would like to personally thank the employees of the City who have pitched in with ideas and enthusiasm and hard work.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Public employees are too often maligned as faceless bureaucrats. Lansing is fortunate to have such a dedicated and capable group of men and women. It is an honor to serve with them.

Thank you.

Following Mayor Crawford's 1993/1994 Budget Presentation, Council President Canady declared a 10 minute recess. Council recessed at 7:15 P.M. and reconvened at: 7:25 P.M.

CONSIDERATION OF LATE ITEMS

By Councilmember Ford

To accept the following under suspension of the rules:

1/ From Councilmember Ford a resolution of tribute to New Mount Calvary Baptist Church commemorating their 29th anniversary

2/ From Councilmember Benavides a letter from Council President Canady referring separate aspects of the Mayoral Reorganization Plan to appropriate committees

3/ From Councilmember Schmidt a petition from the parents of Mt. Hope School requesting that their school be designated as a Kids Kamp site

4/ From Councilmember Schmidt a letter from City Attorney Alvan Knot regarding the deletion of a 54-A District Court Judge Position

5/ From Councilmember Schmidt a letter from Don and Virginia DeCair of 1602 W. Rundle regarding the proposed Cat Ordinance

6/ From Councilmember Brockwell a resolution appointing Council Staff member Greg Koessel as the Internal Auditor for the City

Carried unanimously

SCHEDULED PUBLIC HEARINGS

There were no Scheduled Public Hearings

PUBLIC COMMENT

Lloyd Teets of 116 E. Elm St. complained about the amount of late items submitted for consideration tonight. He believes that this is Council's way of keeping the people ignorant. He criticized the lack of information available regarding the transfers on tonight's agenda. The money that is being transferred into the Law Department will be used to pay outside lawyers to fight the citizen's lawyers on the early retirement issue. He spoke in opposition to the resolution extending the term lengths on the Convention/Exhibition Authority Board. These term lengths are set by City Charter. President Canady corrected Mr. Teets, saying, the Authority is created by Ordinance not by Charter.

Harold Leeman of 529 N. Francis asked for discussion regarding the eligibility of Channel 39, GNS, for cablecasting grants. He asked if information will be available at the Public Hearing on the Mayoral Reorganization Plan so that people can talk about it? He questioned the ability of an internal auditor who is independent of the Mayor's office and who works for City Council to maintain an independent status. He asked what the administration is doing to make sure that the shortfall in the parking system does not happen again. President Canady responded that the Administrative Reorganization Plan is on file in the Office of the City Clerk and available for review. When Council is ready to take action on the transfers, Mr. Knot will be given the opportunity to explain the transfer to his office.

Del Maynard of 2017 Culver said that the City Attorney's Office has seven employees specifically to handle litigation that the City is involved in. Maybe we should get rid of them and just hire outside attorneys to represent the City's interests. The Attorney's Office should have the expertise on staff to handle these varied cases.

SPECIAL CEREMONIES

There were no Special Ceremonies

COMMUNICATIONS AND PETITIONS

By Councilmember Belen

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Canady

Carried unanimously

A. Claim appeal from Norman Ott of 3107 Palmer

REFERRED TO THE CITY ATTORNEY AND THE COMMITTEE ON GENERAL SERVICES

B. Statement for renewal of membership fees to the Michigan Municipal League

REFERRED TO THE MAYOR

C. Approval from the Department of Natural Resource's for a Modification to the City of Lansing's Industrial Pretreatment Program contained in the National Pollutant Discharge Elimination System (NPDES)

REFERRED TO THE MAYOR

D. SLU-04-93, Special Land Use request for property formerly known as 121 Ferguson submitted by Douglas F. Wacker for the purpose of approving the surface parking lot he has developed

REFERRED TO THE MAYOR AND THE PLANNING BOARD

E. Public Notice from the Michigan Water Resources Commission of intent to issue a discharge permit to the City of Lansing for their Wastewater Treatment Plant located at 1625 Sunset Ave.

REFERRED TO THE MAYOR

F. Request for reimbursement of expenses incurred by the RamStar Group Corp. for the processing of a Class C Transfer from 305 River St. to 1303 W. Holmes

REFERRED TO THE CITY ATTORNEY

G. Letters from Sheila Rouse of 1137 S. Holmes St. regarding:

-Council Rule #19

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

-Early Retirement Program

REFERRED TO THE COMMITTEE OF THE WHOLE

H. Letter from Francis Tyler protesting incorrect addresses given during Public Comment

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

EXECUTIVE ASSISTANT'S TO THE MAYORS COMMENTS

Mr. Boyd had no comments

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

on licenses and bonds:

1. **RESOLUTION #165**
March 22, 1993
President Canady and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

AUCTIONEER: Steve Reeser Associates, John Ford
BUILDING WRECKER: Cook Brothers Excavating, Inc., Pitsch Wrecking Company, Michigan Construction, Inc., Rohde Bros., Excavating, Inc., City of Lansing
BUILDING MOVER: City of Lansing
PUBLIC DRIVER: Douglas Jon Siedelberg
SIGN ERECTOR: City of Lansing, Collins Signs, Inc., Fabricraft, Johnson Sign Company, Custom Signworks Plus, Inc., IDL Technology/d/b/a Quality Awning, Amor Sign Studios, Inc., Adams Outdoor Advertising, Huron Sign Company, Inc., Sign Art, Inc., Lorencen Signs d/b/a/ Central Advertising
TRANSFER CLASS C: Society's Inc.

Sincerely,
Marilynn Slade, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk regarding the above mentioned licenses with the execption of the Transfer of Class C Liquor License, and, to refer the issue of the Transfer of Class C license for Society's Inc. to the Committee on General Services

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of March 15, 1993 for Review

RECEIVED AND PLACED ON FILE

C. Letter from the City Clerk submitting Board of Ethics Proposed Rules of Procedure

By Councilmember Lilly

To suspend the rules to refer these rules of procedure to the Committee of the Whole for review

Carried unanimously

D. Letter from Chuck Remenar, Chairman of the Audit Committee Recommending Approval of a Resolution Specifying Qualifications for the Annual Board of Water & Light Audit

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

E. Letter From Councilmember Rick Lilly to City Attorney Knot regarding the Disclosure of a Conflict of Interest

REFERRED TO THE BOARD OF ETHICS

F. Letter from John Mertz, Chairman of the Ethics Board requesting Appointment to the Board to Replace City Attorney, Al Knot

REFERRED TO THE COMMITTEE OF THE WHOLE

G. Letter from City Attorney, Al Knot regarding Montry's v City of Lansing

PULLED FROM THE AGENDA AT THE REQUEST OF CITY ATTORNEY KNOT

H. Letters from the Mayor re:

1/ ACT-02-93, DNR Parcel at W End of Hunters Ridge Dr.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

2/ Recommendation from Lansing Building Authority

REFERRED TO THE COMMITTEE OF THE WHOLE

COMMITTEE REPORTS

RESOLUTION #166
THE COMMITTEE ON GENERAL SERVICES, to whom was referred the petitions supporting applications from GNS—Channel 39 for public funding through Community Cablecasting Grants,

REPORTS AS FOLLOWS: The Committee has been informed that an agreement has been reached on this matter. At a meeting in the Mayor's Office, the City Attorney stated that Cable Channel 39 was not a public access channel, and that the religious nature of the programming on Cable Channel 39 made GNS ineligible for public funding through Community Cablecasting Grants. Dolores Burley, representing GNS, agreed to not make applications for Community Cablecasting Grants. Representatives of the City's Cable Advisory Board and Continental Cablevision agreed that Cable Channel 39 would be considered an "other" access channel, and that GNS would have around-the-clock control over the channel with advice and technical assistance from Continental. An amendment to the City's franchise agreement with Continental has been developed to reflect these agreements, and will be presented to City Council for ratification in the near future. This report is for information only, and no Council action is required at this time.

Signed: Charles Ford
Alfreda Schmidt
Robert Brockwell

March 22, 1993

BY COUNCILMEMBER FORD:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTIONS

RESOLUTION #167
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Robert C. Abraham filed a claim against the City in the amount of $455.50 in protest of a special assessment against his rental property located at 435 West Randolph for a trash removal by the City's contractor; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim, which was concurred in by the Claims Review Committee; and

WHEREAS, the claimant appealed the denial to the City Council

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

and was represented by attorney Jose' T. Brown before the General Services Committee, which received testimony and evidence in support of the claim; and

WHEREAS, the Committee found that the property was being acquired by the claimant at the time of the violation, and the claimant did not receive notice because the inspector sent the violation notice to the taxpayer-of-record according to the City Assessor's file as of the date of the inspection, and that the City's process in Chapter 1460 of the Code was followed; and

WHEREAS, the Committee recommends that this claim appeal be denied;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to uphold the Claims Review Committee's denial of the claim of Robert C. Abraham; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

March 22, 1993

By Councilmember Ford

Carried unanimously

RESOLUTION #168
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Society, Inc. (stockholder: Hartner & Associates, Inc., 6810 S. Cedar, Suite A, Lansing, 48911) has applied to the Michigan Liquor Control Commission to transfer ownership of a 1991 Class C licensed business with Dance-Entertainment Permit, located in escrow at 6810 South Cedar Street, from Concert Club Productions, Inc., Richard J. Greenland, Jr., Interim Trustee; and

WHEREAS, the City Clerk has reported that the application has been reviewed and approved by appropriate City staff; and

WHEREAS, the Committee on General Services has reviewed this matter and recommends that the application be forwarded to the Commission with a positive recommendation;

NOW, THEREFORE, BE IT RESOLVED by the Lansing City Council that the request from Society, Inc., to transfer ownership of a 1991 Class C licensed business with Dance-Entertainment Permit, located in escrow at 6810 South Cedar Street, from Concert Club Productions, Inc., Richard J. Greenland, Jr., Interim Trustee, is hereby recommended for approval.

March 22, 1993

By Councilmember Schmidt

Carried unanimously

RESOLUTION #169
BY THE COMMITTEE ON PUBLIC SERVICE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Dave Berridge to the Downtown Mall Environs Board as a City representative, is hereby confirmed.

March 22, 1993

By Councilmember Brockwell

Carried unanimously

RESOLUTIONS #170a through 170g
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

$75,000.00 from Est. Rev. A/C 101-000000-170001-0
$75,000.00 to Dist. Ct. Exp. A/C 101-132200-992200-0
(Collections of outstanding parking warrants are running above initial estimated costs (40% of revenue). (Memo account 760-132201-743100-0).

$943.18 from Est. Rev. A/C 101-000000-170001-0
$943.18 to Pks. & Rec.-Bgt. Ctrl. A/C 101-783860-992200-0
(Donation of Tour Connection for purchase of TV/VCR for senior citizen programs.) (To memo account 101-783810-741880-0)

$275.00 from Est. Rev. A/C 101-000000-170001-0
$275.00 to Fire Dept.-Bgt. Ctrl. A/C 101-343501-992200-0
(Donations from North Lansing Kiwanis Club ($25) and Greater Lansing Labor Council ($250), for purchase of smoke detectors. (To memo account 101-343530-741880-0).

$100,000.00 from Gen. Fd.-Fd. Bal. A/C 101-000000-390001-0
$100,000.00 to City Atty. Bgt. Ctrl. A/C 101-172900-992200-0
(Additional funds needed for outside assistance with lawsuits, and outside legal assistance, to pursue litigation currently in progress. (A/C 101-172900-743000-0: $75,000), and to maintain library services including WESTLAW.
(A/C 101-172900-741883-0: $25,000).

$151,400.00 from Pkg. Fd. Retained Earnings A/C 585-000000-395001-0
$151,400.00 to Pkg. Sys. Ctrl. A/C 585-453642-992200-0
(Underfunding of debt service requirement during budget preparation. Required to pay interest on two older bond issues.)
(To memo account 585-453649-982000-12047).

$75,000.00 from Est. Rev. A/C 760-000000-170001-0
$75,000.00 to Dist. Ct.-Bgt. Ctrl. A/C 760-132201-992200-0
(Collections of outstanding parking warrants are running above initial estimated cost (40% of revenue). (To memo account 760-132201-743100-0).

$500.00 from Pks. Exp. Trust Fd. Bal. A/C 713-000000-390001-0
$500.00 to Pks. Exp. Trust Bgt. Ctrl. A/C 713-833890-992200-0
(Replacement of rose plants at Frances Park, from Frances Park Trust).
(To memo account 713-833890-741050-0).

I hereby certify that funds are available.

Submitted by:
Douglas L. Rubley, Interim Director of Finance

By Councilmember Benavides

To place an affirmative roll on the above listed transfers numbered Resolutions 170a through 170g

Carried unanimously

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

RESOLUTION #171
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has proposed an executive re-organization that would eliminate one department, consolidate two others, and result in the reduction of 74 full-time and six part-time/seasonal authorized positions; and

WHEREAS, City Charter Section 4-301.7 requires the Council to conduct a public hearing on the plan as part of the Council's study of it; and

WHEREAS, the Mayor has also requested authorization to immediately begin recruitment to fill critical position vacancies;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby directs the City Clerk to schedule and announce a public hearing for Monday, March 29, 1993, for the purpose of receiving public comment on the Mayor's proposed Executive Re-Organization, as received by this Council on March 11, 1993; and

BE IT FURTHER RESOLVED the Mayor is hereby authorized to begin recruitment immediately to fill critical position vacancies that are not proposed for elimination.

March 22, 1993 By Councilmember Brockwell

Carried unanimously

RESOLUTION #172
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has recommended that the terms of office of the Board of Commissioners of the Greater Lansing Convention-/Exhibition Authority be moved up one year in order to be in conformance with the Authority's articles of incorporation; and

WHEREAS, the Committee of the Whole has reviewed this recommendation and concurs therewith;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the Mayor's recommendation to adjust the expiration dates for the terms of current Commissioners of the Greater Lansing Convention/Exhibition Authority as follows:

RESIDENTS

Elizabeth D. Boyd . . . . . December 31, 1993
Ralph W. Sims . . . . . December 31, 1993
Donald Ristow . . . . . December 31, 1995
Charles Blockett . . . . . December 31, 1995
Glenn Friedly . . . . . December 31, 1996

NON-RESIDENTS

Nevenka Dines . . . . . December 31, 1994
Douglas Griffith . . . . . December 31, 1994
Kevin McKinney . . . . . December 31, 1995
Michael Melfi . . . . . December 31, 1996

March 22, 1993

By Councilmember Belen

Carried unanimously

RESOLUTION #173
BY COUNCILMEMBER CHARLES FORD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the New Mount Calvary Baptist Church will be celebrating their 29th Anniversary on Friday, March 26, 1993, at 7:00 p.m. in the Hannah Center Ballroom located at 4750 South Hagadorn Road in East Lansing; and

WHEREAS, the New Mount Calvary Baptist Church was founded in 1964 by Ferdinand Fritz in his own home, shortly thereafter moving to the corner of Martin Luther King Boulevard and West Saint Joseph before finally moving to its current location of 4701 Pleasant Grove in 1977; and

WHEREAS, Reverend Columbus Clayton and the congregation of New Mount Calvary Baptist Church will be joined in the celebration by Judge Beverley Nettles-Nickerson, Keynote Speaker, and Professor Howard Wolpe, Guest Speaker.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council congratulates Reverend Clayton and the New Mount Calvary Baptist Church on their 29th Anniversary; and

BE IT FURTHER RESOLVED the Lansing City Council hereby recognizes and commends the New Mount Calvary Baptist Church for their outstanding and dedicated service to residents of the Lansing community.

March 22, 1993

By Councilmember Ford

Carried unanimously

RESOLUTION #174
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, it is the intent of the City Council to eliminate all Council-appointed positions vacated as a result of the Early Retirement Plan, and

WHEREAS, of the three positions now vacant one position, that of Internal Auditor, is a Charter-mandated position; and

WHEREAS, if this position is filled from within, the City Council will achieve the goal of reducing the fulltime City Council staff from a total of 8 to 5 positions, a reduction of 37.5% as compared to the target of 12% adopted in the Fiscal Year 92-93 Budget; and

WHEREAS, the Personnel Department has posted this position internally, and has determined that only one applicant possesses the qualifications for this position.

NOW, THEREFORE BE IT RESOLVED that pursuant to Article 3, Chapter 401.1 of the Lansing City Charter the Lansing City Council hereby appoints Mr. Greg Koessel, City Council Financial Analyst, to the position of Internal Auditor; and

BE IT FURTHER RESOLVED that the City Council hereby deletes the two vacant Internal Audit positions, and the position of Finance Analyst, from the City Council Table of Organization; and

BE IT FINALLY RESOLVED that the City vehicle assigned to the Internal Audit Office is hereby declared surplus.

By Councilmember Brockwell

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Ford a resolution of tribute to New Mount Calvary Baptist Church commemorating their 29th anniversary

HANDLED AS RESOLUTION #173

2/ From Councilmember Benavides a letter from Council President Canady referring separate aspects of the Mayoral Reorganization Plan to appropriate committees:

-Administrative Services, Finance Department, City Council, City Clerk and Mayor's Office

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

-Human Relations and Human Resources Departments, 54-A District Court and Law Departments

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

-Municipal & Neighborhood Development Department and Public Service Department

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

-Parks & Recreation Department

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

-Police Department

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

3/ From Councilmember Schmidt a petition from the parents of Mt. Hope School requesting that their school be designated as a Kids Kamp site

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

4/ From Councilmember Schmidt a letter from City Attorney Alvan Knot regarding the deletion of a 54-A District Court Judge Position

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

5/ From Councilmember Schmidt a letter from Don and Virginia DeCair of 1602 W. Rundle regarding the proposed Cat Ordinance

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

6/ From Councilmember Brockwell a resolution appointing Council Staff member Greg Koessel as the Internal Auditor for the City

HANDLED AS RESOLUTION #174

MAYOR'S COMMENTS

Mayor Crawford announced two seminars will be held on Multi-family recycling. Any apartment owners, managers, or other interested parties are welcome to attend. They will be held Wednesday, March 30, and Tuesday, April 1, 1993, at the Foster Community Center. More information can be obtained by calling 483-4400.

COUNCILMEMBER'S COMMENTS

Councilmember Beal said that some referrals that are made to the Committee of the Whole are never placed on their agenda. They have received another letter this week for referral to that committee. The Retirement System, she said, is funded by appropriations from the General Fund. Mayor Crawford confirmed that every year an appropriation is made to the Retirement System.

The Eastside Neighborhood Organization will hold their annual "Souper" this Saturday at Resurrection Church at 5:30 P.M.

Councilmember Schmidt announced that she attended a luncheon at the Kellogg Center at which Councilmember Belen received an award for 25 years of outstanding service to the community. She thanked Denise Lynch from the Parks and Recreation Department for developing an exhibit that shows what the City of Lansing does and why it is a good place to visit.

Councilmember Ford said that during budget meetings he would like to address three issues in the Mayor's budget message tonight: neighborhood issues; the closing of Jim's Tiffany Place; and the merging of the Human Relations and Human Resources departments. He is also concerned that they will not be able to fulfill their commitment to keep community centers open to the extended times that they approved last year. Mayor Crawford said everyone was sorry to hear about the closing of Jim's Tiffany Place. The owner of Tiffany's made the decision to sell this building several years ago for the construction of an office building. This is the right of the property owner. Regarding the combination of the Human Resources and Human Relations departments this should create no impact on services. There has been some emphasis on reducing the hours of community centers.

Councilmember Brockwell requested that Item X H-2. under letters from the Mayor, regarding the Lansing Building Authority, be referred to the Committee of the Whole.

Councilmember Lilly said that he has dinner at Jim's Tiffany Place following Council meetings and he is the only one there. There is no one downtown to go there for dinner. Everyone goes home after 5:00 P.M. Councilmember Ford said that is why he brought this issue up. The key is to get more people in the downtown area. We do not need another office building in the downtown area.

PUBLIC COMMENTS

Lloyd Teets of 116 E. Elm St. blamed City Council for the closing of Jim's Tiffany Place. Council, as a legislative body, has all kinds of power. He suggested an ordinance that would require all office buildings built in the downtown area to have commercial businesses on the ground floor level. He predicted that the Parking System will cost the General Fund a lot of money before it is done.

Frank Curtis of 1137 W. Allegan asked how two police officers could get themselves in so much trouble in the course of one week. He questioned the legal advice given by City Attorney Knot. He demanded reparation for the black man.

Jon Addis of 913 W. Holmes informed the public that a recall effort against Council has been organized. People want a higher level of integrity and ethics than Council has displayed over the early retirement issue. Council President Canady and Councilmembers Brockwell and Benavides are all named in the recall drive. They filed petitions with the Ingham County Clerk last Friday. Anyone who feels strongly about this issue is invited to bring their brooms next Monday night to show support of "Operation Clean Sweep."

Del Maynard of 2017 Culver said it is time to address the issue of where our city is going and why we do not have anything downtown for people to come to any more. The City should not permit construction of anymore office buildings. We need more residential buildings and a ground level ordinance like the one Mr. Teets suggested. The city should make sure that we do not make the same mistakes as Detroit, Flint, and Jackson. We should provide

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

more developments for senior citizens to live in downtown.

Darlene Rollin of 1514 Linval spoke in support of the Community Service and Referral Center (CSRC). They help women with children who use shelters at night and have no place to go during the day. They have a new manager doing a good job. They provide more than a place to go, they supply personal needs items that cannot be afforded from welfare checks.

Tony Evans of 819 N. Larch spoke in support of CSRC. They found her a home a few years ago when she was homeless and helped her get a job. There are problems there, but they take good care of their people. Closing the center will only make the problems worse.

William Smith of 222 N. Hosmer spoke in support of CSRC.

Mary Haney of 1312 Roosevelt said that Council will see that a center is available for these people. They will not leave people cold and homeless. CSRC should not receive an allocation, it should be closed, and the City should start over with a new one. She protested the prosecution of Lansing Police Officer Clyde Smith. They are raising money for a legal defense fund for him.

Mayor Crawford explained that it is not up to the City whether CSRC should stay open or not. However, the City will not fund it. He is currently searching for an alternative.

Lawrence Mueller 1315 W. Willow said that Jim's Tiffany Place is going the way of the City Market. It is refreshing to see Councilmember Beal going her own way and not playing follow the leader, he said. Councilmember Beal responded that there are a lot of people working very diligently to bring the City Market back. They will see a new and revitalized City Market this summer.

Ernestine McMillan objected to the closing of CSRC. If the center closes, the community will face a bigger problem. Eighty percent of the people who frequent the center are black, she said, maybe there is a problem with prejudice down there and Council should take another look at what is going on.

Andrew Anthos, no address given, said that someone has to listen to these people. Council had better do their jobs, or they will be removed from office. He announced that he has received an endorsement from MSU for his project to light the dome of the State Capital.

Tim Lewis of 500 S. Pine requested that everyone, including Mr. Fairbanks, be required to give their correct address when addressing Council. The downtown area needs to be revitalized. They need to put something here for people to look at and be proud of.

Shirly Murray of 1720 Bradley, President of the South Central Neighborhood Organization, thanked Council and Mayor Crawford for sticking to their guns regarding the funding of CSRC. This organization was not doing its' job of taking care of these people. The City will come up with a solution to provide quality help to them.

James Britton of 1128 Lathrop said he attended his first Committee of the Whole meeting last week. He was shocked and disgusted at the way Councilmember Ford was treated. He requested a copy of the material Councilmember Ford was speaking on at that meeting.

Paget Maynard of 902 W. Shiawassee said we need to strengthen our families. The citizens of the City want a better City Hall.

Alexander Bolt of 1230 Reo Rd. said the people of this city are crying. Council needs an education. They are following the exact same policies that are killing Detroit. The same policies are being followed in East Lansing and are making a large portion of their population want out.

Ammahad Shekarakki of 902 W. Willow said everyone is complaining and no one is bringing answers. There are suits and counter suits and a recall drive. Most of these people are on an ego trip and are just pointing fingers instead of trying to help. There are no jobs, no place to live, and no outlook for the future. He asked the people of Lansing to wake up and do not get caught up in this recall drive.

Kirk Kukkleman of 3600 Simkin asked why the City needs to use a private ambulance service instead of city ambulances.

Lou Ann Parks of 607 N. Sycamore said she is happy to see that the Lansing Market will be revitalized. She was formerly homeless and was helped by the CSRC. She is proud to have come out of that experience.

Jerry Sweet of Grand Ledge asked why there are so many empty reserved spaces in the parking ramps? Mayor Crawford responded that he will look into this situation and get back with him.

Gerald Huckaba of 5410 S. Waverly Rd. said he has talked to a lot of people in the course of gathering petition signatures. Council does not keep their word and people are tired of it.

Cindy Johnson of 217 Reo Ave. said CSRC is closing this Friday. They have the best adult literacy program in the state. Drug and alcohol abuse is a reality of this economic strata. There is no business or family in this town that is not touched by drug and alcohol use. They provide the best quality service of their kind in this city. They have fulfilled their contracts with the City time and again over and above what is required of them.

Buzz Hart of 115 S. Washington said that business people do not take comfort that this agency is closing. They take comfort from knowing that the problems of the homeless are being dealt with properly. Get the good programs to work, every businessman in this area will back a good center.

Bernie Meissner of 1035 LaSalle Blvd. asked why Lansing Police Officers are allowed to resign rather than being prosecuted. Mayor Crawford replied that the Prosecutor made this decision. Mr. Meissner asked what the Mayor's position is on this? Does this mean that anyone charged with a criminal offense can merely resign to avoid prosecution?

Harold Leeman of 529 N. Francis asked Mayor Crawford to look into an empty lot at the corner of Oakland and Pennsylvania. A lot of cars for sale are showing up at this corner. He said the plants look nice in the water fountain in the lobby, now we need to get the fountain working? He noted that the Mayor's Cadillac was auctioned last weekend. It sold for $12,700. Regarding the luncheon for Councilmember Belen, it should have been held at the Radisson. He asked if the issue of outside legal counsel will be discussed next Monday? President Canady said that he will be out of town next Monday, they will have discussion on this at Committee of the Whole on April 1, 1993.

Mayor Crawford said they are trying to get the water fountain up and running. It will be a major cost. Regarding the Lansing Police Officers, they are not guilty until a judge and jury say they are.

ADJOURNED 8:30 P.M.
MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, March 29, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
March 29, 1993

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by Vice-President Brockwell

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Ford, Lilly, Schmidt

ABSENT: Council President Canady (arrived 8:30 P.M.)

The Invocation and Pledge of Allegiance were lead by Councilmember Schmidt

CONSIDERATION OF LATE ITEMS

By Councilmember Schmidt

To accept the following under suspension of the rules:

1/ From Councilmember Schmidt a Claim appeal from W. S. Chaliman of 900 Long Blvd. #673

2/ From Councilmember Beal a letter from Jon Addis requesting that the City Attorney review the City's Sign Ordinance

3/ From Councilmember Beal a letter from H. James Starr, Attorney requesting the replacement of Alvan Knot as City Attorney

4/ From Councilmember Belen a resolution in Support of United Airlines and their continued service in this area

5/ From Councilmember Lilly a request that the rules be suspended to allow Representative Dianne Byrum to address City Council prior to the Public Hearing and Public Comment portions of the agenda

Carried unanimously

Representative Dianne Byrum addressed City Council for the purpose of presenting to them a Public Act signed last week affecting the Lansing School District filing deadline for school district elections. This Act will allow for Absent Voter balloting for school board elections. She thanked City Clerk, Marilynn Slade and School Board President, Nancy Ericson for their testimony and support at committee level. Councilmember Ford asked if this would allow for AV ballots in the upcoming election. Representative Byrum replied that yes, it would give this school board election the same filing deadline as City elections. She said that one of her committee assignments is local government; she is happy to help with any local issues that she can. Please feel free to call on her.

SCHEDULED PUBLIC HEARINGS

A. Mayor's Proposed Executive Reorganization

Howard Jones of 426 W. Barnes Ave. offered the following recommendations to Mayor Crawford: Please have the Finance Director and the Auditor keep people informed and updated as to the funding status of the retirement system and the court hearings; Please create a youth funding bureau that will produce programs that will have a constructive impact on the city's youth. The Civic Center and public and private schools can be utilized to operate programs that will keep kids off the streets and out of drugs; Please listen to the employees that work in the various departments when implementing the reorganization plan. These are the people that perform the services that are delivered to the people of the city; It is time for honesty and openness and an open door policy on meetings.

Lloyd Teets of 116 E. Elm St. said the city put the cart before the horse. They should have reorganized city government and then defined the force reduction plan that fit into it. If they had gone about this correctly they would not have lost the extra 70 employees. He does not want to see a loss of essential city services.

REFERRED TO THE COMMITTEE OF THE WHOLE

B. State of Michigan Recreation Grants

There were no speakers for this Public Hearing

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

C. SLU-01-93, 3202 South Pennsylvania Avenue

There were no speakers for this Public Hearing

REFERRED TO THE PHYSICAL DEVELOPMENT COMMITTEE

PUBLIC COMMENT

Russell Terry of 121 E. Mt. Hope said Councilmembers should do more evaluation of issues before voting on them. He requested that they use care in their evaluation of the fair housing month resolution. The people should not have to pay for Council's mistakes.

Frank Curtis of 1137 W. Allegan asked Council what they intend to do about the homeless. These people must have someplace to go. Most of these people were formerly tax paying citizens. Many of them are just not eligible to draw social security benefits yet. If government keeps raising taxes, everyone will end up homeless.

Lloyd Teets of 116 E. Elm St. said he attended a joint meeting of the Board of Water & Light and City Council in which it was revealed that the Board of Water & Light will lose $6,000,000 this year. Council has not, and will not inform the public of this because they want to keep them ignorant. Mayor McKane had organized a committee to look into the Board of Water & Light. The committee has been disbanded. They should have audited the Board and looked into its' worth. The citizens of the city are stockholders of the Board of Water & Light and are being ill served.

John Culmeyer of 699 W. Madison said there are a lot of old

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

abandoned, boarded up houses in the city. The homeless would be better served by rehabilitating these houses and being helped to find jobs. Homeless people could then sign agreements to live in and take care of the houses, thereby increasing the tax base and the population of the city.

SPECIAL CEREMONIES

A. Remarks by Representative Dianne Byrum

Subsequent to the suspension of the rules requested by Councilmember Lilly, Representative Dianne Byrum addressed Council prior to the Public Hearing portion of the agenda.

B. Proclamation naming April 2, 1993 "Red Nose Day" for Raising Funds for Research into Sudden Infant Death Syndrome

Mayor Crawford announced that Len Lapak was not present to accept this proclamation.

C. Proclamation and Resolution naming the month of April, 1993 "Fair Housing Month" in Lansing

Mary Lou Mason, Member of the Human Relations Board accepted a proclamation from Mayor Crawford and a Resolution from Councilmember Benavides and invited the Mayor and Council to attend the opening ceremonies to be held Friday, April 2, 1993 in Council Chambers

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

To consider Communications and Petitions as being read in full and that the proper referrals be made by Vice-President Brockwell

Carried unanimously

A. Complaint received from Susan Wolcott of 1231 N. Walnut St. regarding a Building Safety Department Employee

REFERRED TO THE MAYOR

B. Letter from the Michigan Municipal League regarding the Convention in Marquette for September 9-11, 1993

RECEIVED AND PLACED ON FILE

C. Notice received from the Michigan Public Service Commission regarding Consumers Power Company's Application for Authority to Enter into Indebtedness

RECEIVED AND PLACED ON FILE

D. Notice received from the Michigan Department of Social Services of the Issuance of a License for an Adult Foster Care Small Group Home to Debra Taylor of 1234 W. Michigan Avenue

REFERRED TO THE MAYOR

E. Petition received from Suzanne Elms-Barclay of 1628 Lindbergh Drive asking for consideration of Mt. Hope School as a Site for Kid's Kamp

REFERRED TO THE MAYOR AND
THE COMMITTEE OF THE WHOLE
(BUDGET CONSIDERATIONS)

F. Letter from William J. Schneider of 223 N. Pennsylvania Avenue regarding the Condition of Rental Properties in the 200 Block of N. Pennsylvania Avenue

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PUBLIC SERVICES

Mayor Crawford reviewed his two letters on tonight's agenda regarding appointments to the Economic Development Committee.

CITY OFFICER AND BOARD REPORTS

A. **RESOLUTION #175**
March 29, 1993

President Canady and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

AUCTIONEER: Benjamin J. Glardon
MASSAGE THERAPIST: Mabel Menadier/Board of Water & Light, Fitness Center
SIGN ERECTOR: Bill Carr Signs, Inc., National Advertising Company, Wolverine Development Corp., Stamp-Rite, Inc., Stanley L. Martin
ICE CREAM PEDDLER: Summer Song, Inc.
PUBLIC DRIVER: Eric P. Holmes
BUILDING WRECKER: Rumsey & Sons Construction, Inc., E. T. MacKenzie Company, D. L. Kesler Construction, Inc., Davis Construction, Inc., Cadwell Brothers Construction, Marsh Excavation, Reid Machinery, Inc.
PEDDLER: Ricky J. Nelson
SDD/SDM LICENSE: Kroger Company

Sincerely,
Marilynn Slade, City Clerk
City of Lansing, MI

By Councilmember Ford

Carried unanimously

B. **RESOLUTION #176**
March 29, 1993
COUNCIL PRESIDENT MARK CANADY and MEMBERS OF CITY COUNCIL

RE: INGHAM COUNTY CIRCUIT COURT FILE NO. 92-71275-CZ LAWSUIT

Dear Council President Canady and Councilmembers:

The above matter arises out of a Complaint filed by Plaintiff against the City of Lansing (City), the Lansing Police Department (LPD) and a Lansing Police Officer (Officer). The facts underlying the Complaint are as follows:

On October 28, 1992 at approximately 2150 hours, LPD Dispatch alerted various officers that there was a male in possession of a gun observed in the 2300 block of South Rundle Street. The Lansing Officer involved in this incident responded to the call and upon his arrival he observed a yellow pickup truck located on Cooper Street.

The Officer followed the truck into the parking lot of the Mt. Hope

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Grocery Store. Plaintiff, who was operating the truck, exited the vehicle and was immediately told by the Officer to place his hands on the truck.

While Plaintiff was being searched and handcuffed, LPD Dispatch advised the Officer that Plaintiff was not the man observed with the gun.

Based upon an investigation of the witnesses who observed the incident, it is the recommendation of the Mayor, the Ways and Means Committee and the Police Chief that the matter be settled for $7,500. This is 50% of an award rendered by a mediation panel.

As always, if you have any questions, please contact me.

Very truly yours,
Alvan P. Knot, City Attorney

By Councilmember Benavides

To accept the recommendations of the City Attorney

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides Brockwell, Ford,

NAYS: Councilmembers Lilly, Schmidt

ABSENT: Council President Canady

C. Letter from the Elected Officers Compensation Commission in response to Mr. Leeman's Request

RECEIVED AND PLACED ON FILE

D. Letters from the Mayor re:

1. Reappointment of William Porter, Jr. to the E.D.C. Board

REFERRED TO THE COMMITTEE ON ECONOMIC DEVELOPMENT

2. Reappointment of Gerald Lett to the E.D.C. Board

REFERRED TO THE COMMITTEE ON ECONOMIC DEVELOPMENT

COMMITTEE REPORTS

RESOLUTION #177
THE AD HOC COMMITTEE ON THE HOMELESS, whom has reviewed the concerns regarding the operations of the Community Service and Referral Center, and the concerns relating to the provision of homeless assistance and referral services within the City of Lansing during the daytime hours, Monday through Friday,

REPORTS AS FOLLOWS: At the Committee meeting held on March 17, 1993 the Committee approved a motion to request that the Mayor provide funding for CSRC through May 1, 1993 in order to continue this important service through the balance of winter. Subsequently, Committee Members Benavides and Schmidt met with the Mayor on behalf of the Committee to discuss the approved motion. During this meeting the Mayor stated that he was unwilling to fund CSRC, but that he was in the process of evaluating options in order to continue providing a daytime homeless resource center. Given this information, and given the urgency of the situation, the Committee eagerly awaits the Mayor's report on this issue, and urges the Mayor to complete his review as expeditiously as possible.

Signed: Ad Hoc Committee On The Homeless
Councilmember Benavides, Chair.

BY COUNCILMEMBER BENAVIDES:

That the Report of Committee be received.

CARRIED UNANIMOUSLY

March 22, 1993.

RESOLUTION #178
THE COMMITTEE ON WAYS AND MEANS, to whom was referred the matter of the Housing Commission reimbursing the City for outstanding External Audit Fees incurred by the City in Fiscal Years 1988, 1989, 1990, and 1991 in the amount of $77,650,

REPORTS AS FOLLOWS: The Committee's review of this matter indicates that reimbursement of these fees to the City by the Housing Commission in excess of HUD approved limits may well result in an ineligible expense ruling by HUD. Accordingly, it is the recommendation of the Mayor that the City accept reimbursement in the amount of $20,000 as deemed eligible by HUD.

Accordingly, the City Council authorizes the administration to accept $20,000 as payment for the external audit services ordered by the City, and to take the necessary action to expense the balance of $57,650 as a Professional Service cost.

Finally, the City Council requests that the City Attorney work with the Interim Finance Director and the Internal Auditor to review what authority the City has in requiring that external audit specifications for the Housing Commission include Generally Accepted Accounting Principles.

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

That the Report of Committee be approved.

CARRIED UNANIMOUSLY

March 29, 1993.

RESOLUTIONS

RESOLUTION #179
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, municipal golf course starters have had an increasing workload for the past several years, as evidenced by a 30 percent increase in revenues; and

WHEREAS, the administration has reported it is becoming more difficult to recruit and retain competent staff as the last wage increase was in 1987; and

WHEREAS, the Mayor's 1993-94 budget recommendation includes a wage increase for golf starters; and

WHEREAS, the Committee has determined funds are available due to the courses not opening early this year;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

hereby approves the municipal golf course starter wage increase of 50¢ at 18 hole Groesbeck and a 25¢ at 9 hole Waverly, Red Cedar and Sycamore for the 1993 golf season. This equates to the following hourly rates plus fringes:

Groesbeck	$6.50 per hour
Red Cedar	$5.75 per hour
Waverly	$5.75 per hour
Sycamore	$5.25 per hour

By Councilmember Benavides

Carried unanimously

RESOLUTION #180
By the Committee on Ways and Means

Resolved by the City Council of the City of Lansing

Whereas, the Audit Committee has met and deliberated; and

Whereas, the Board of Water and Light has requested that the current audit specifications requiring that the Board of Water and Light external audit firm have an office in the City of Lansing be eliminated, thereby changing this requirement to be consistent with the City of Lansing audit specifications; and

Whereas, Section 206.16 of the City Purchasing Ordinance entitled "Preference for Local Bidders and Offerors" shall apply to the selection of the Board of Water and Light external audit firm; and

Whereas, the Audit Committee concurs with the Board of Water and Light request and has forwarded a list of proposed qualifications and specifications to the Ways and Means Committee; and

Whereas, the Ways and Means Committee has met and approved the following specifications and qualifications for the audit of the Board of Water and Light:

1. Section 206.16 of the City Purchasing Ordinance entitled "Preference for Local Bidders or Offerors" shall apply to the awarding of the audit contract.

2. The audit shall be conducted in accordance with generally accepted auditing standards as set forth by the American Institute of Certified Public Accountants.

3. The audit firm must have previous experience in auditing municipal utilities and their pension plans.

4. The audit firm must have demonstrated capabilities to effect an audit of the Board's electronic data processing functions.

5. The audit firm must be licensed to perform audits in the State of Michigan.

6. The audit firm must be nationally known, having offices in the major financial centers of the United States.

7. A copy of the completed audit and management letter shall be provided to the Lansing City Council at or prior to the time that the completed audit and management letter is provided to the Board of Water and Light or any of its officers or employees.

8. The audit firm will be available to confer with the Audit Committee members and members of the City Council relative to the audit or questions with respect to the accounting system. At the conclusion of the audit engagement the auditors will be available to confer with the City Council and present the report and any recommendations deemed appropriate.

Now, Therefore, Be It Resolved, that the above written specifications and qualifications are hereby adopted, and supersede all previous resolutions relative to the Board of Water and Light audit.

By Councilmember Benavides

Carried unanimously

RESOLUTION #181
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has proclaimed April 1993 as Fair Housing Month in Lansing, and a special observance program co-sponsored by this Council will be held in the 10th Floor Chambers at noon on Friday, April 2nd; and

WHEREAS, this year holds special significance as we celebrate the 25th anniversary of the Fair Housing Law of 1968;

WHEREAS, the purpose of the program, which will be cablecast on Channel 28, is to inform and educate the community on issues of equality and freedom of housing choice, as well as to give fair housing issues more exposure;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby supports the objectives of Fair Housing Month and urges the People of the City of Lansing to work toward elimination of discrimination in housing matters on the basis of race, color, sex, marital status, age, national origin, religion, ancestry, political orientation, adaptive devices or aids, and source of income.

March 29, 1993

By Councilmember Benavides

Carried unanimously

RESOLUTION #182
BY COUNCILMEMBER BELEN

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, United Air Lines has announced that April 4, 1993, will be their last day of scheduled passenger service by Air Wisconsin, operating as United Express, between Capital City Airport to Chicago's O'Hare International Airport; and

WHEREAS, passenger service vacated by United Air Lines will be taken over by Great Lakes Air Lines, also operating as United Express, but under a schedule and with aircraft that will significantly reduce total lift from Capital City Airport; and

WHEREAS, having the availability of the heretofore greater air passenger capacities between Lansing and Chicago has been of great advantage to the Capital Region Airport Authority and to the Greater Lansing area;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 29th day of March, 1993, hereby strongly urges the Chief Executive Officer and the Board of Directors of United Air Lines to reconsider their decision to reduce passenger service between Lansing and Chicago; and

BE IT FURTHER RESOLVED the City Clerk is directed to forward copies of this resolution to Stephen Wolfe, CEO of United Air Lines,

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

and to Tom Schmidt, Executive Director of the Capital Region Airport Authority.

March 29, 1993

By Councilmember Belen

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Schmidt a Claim appeal from W. S. Chaliman of 900 Long Blvd. #673

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2/ From Councilmember Beal a letter from Jon Addis requesting that the City Attorney review the City's Sign Ordinance

REFERRED TO THE CITY ATTORNEY

3/ From Councilmember Beal a letter from H. James Starr, Attorney requesting the replacement of Alvan Knot as City Attorney

By Councilmember Beal

To have this letter read into the record

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Ford, Lilly

NAYS: Councilmembers Schmidt, Canady

Lansing City Council
City of Lansing
124 Michigan Avenue
Lansing, Michigan 48933

Re: Al Knot, City Attorney

Dear Councilpersons:

As a long time resident and taxpayer of the City of Lansing, I have become increasingly distressed at the performance of the City Attorney. Mr. Knot apparently does not believe that his job is to enforce the Lansing City Charter, and to insure that the City Council and city officials are complying with the law. It is apparently his position that he is only required to respond when a request is made.

When he is aware of a legal requirement of either the City Council or an officer of the City, he has the duty of informing the Council or the officer of the requirement and insisting upon compliance. For instance, when he became aware that Councilmembers or City Officers were in a conflict of interest position and required to file an Affidavit of Disclosure, he was duty bound to immediately inform the official of that duty and demand compliance.

It appears that several of city officials were required to file affidavits of disclosure because they were working on early retirement programs which would benefit them. It appears to me that the Finance Director and the Budget Director as beneficiaries of the early retirement plan, were required to file affidavits of disclosure, pursuant to the Lansing City Charter, Section 5-505.1 and .2. Since early retirement appears to me to be a contract, disclosure was also required under State law, particularly MCL 15.323.

It is my opinion that the City Attorney was required to notify these officers of the Charter and statutory provisions, and to insist on compliance with them. He failed to do so.

When members of the City Council might benefit from passage of the early retirement, the City Attorney was required to notify each of them of their duty under Lansing's Charter and Ordinances, and to insist upon compliance with the law. At the time of the passage of the Resolution, he failed to do so.

The Lansing City Charter in Section 3-301 clearly requires that an amendment to an "Ordinance" requires an "ordinance." The retirement plan was an Ordinance. The City attorney was duty bound to tell the City Council that it was necessary for them to follow the procedures for approval of an "ordinance," and that a Resolution would not comply with the Charter. Again he failed to do so.

I am aware that this is one of the basis for the challenge in the Courts. It may be that the attorneys that represent the City in this matter will be able to get the Judge to rule that somehow there is an estoppel or that the resolution is binding upon the City, even though the procedure was flawed. The point is, however, that had the City Attorney insisted that this ordinance be amended by an ordinance, this issue would not be before the Courts and the City of Lansing, would not be spending a substantial amount of the taxpayers dollars on attorney fees.

Mayor McKane had the veto power on the early retirement plan and it appears that he should have filed a conflict of interest statement prior to the time that veto power was to be either exercised or not exercised. Again, the City Attorney failed to notify the Mayor of this duty. If there had been hearings required of ordinances, and had the required affidavits of disclosure been filed, the most objectionable parts of the early retirement plan would have been removed from the ordinance. Because the City Attorney failed to do his job, we are involved in expensive and unnecessary litigation.

Mr. Knot informed Mr. Crawford that he should not vote on the amendment to the resolution offered by Councilperson Beal to delay early retirement, until it had been approved by the Attorney General or the Court, because of the fact that Mr. Crawford would become Mayor as a result of the early retirement.

Mr. Crawford had the same conflict at the time of the passage of the resolution in April. The City Attorney should have informed Mr. Crawford of his duty at that time, and the duty of other councilpersons to file affidavits of disclosure and not to vote on the resolutions. He failed to do so.

Mr. Knot gave an opinion that councilpersons who voted for the amendment to the resolution referring this matter to the Attorney General, which amendment provided for a delay in the implementation of the early retirement plan until after it had been approved by the Attorney General of the Court, could be personally liable because of the vote. Such an opinion is totally incompetent. MCL 691.1407(5) provides as follows:

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

> Judges, Legislators and elected or highest appointive executive officials of all levels of government are immune from tort liablity for injuries to persons or damages to property whenever they are acting within the scope of their judicial, legislative or executive authority.

When City Councilmembers are voting on legislative matters, they are absolutely immune from liability. It was incomprehensible and inexcusable the City Attorney did not understand that.

When the City Council had before it the resolution to refer the ethics commission's problems to Judge Stell, it was clearly apparent to any competent lawyer that there was a lawsuit involved. That is, the ethics commission and its members would need representation and there would have to be a case in controversy created. The City Attorney did not notify the members of the council of that fact, and the council was apparently surprised at what was required. The matter came back before the council, and the city attorney said there were several options. The city attorney did not say what those options were, but implied that they were something other than litigation. This, of course, was nonsense.

The City Attorney has a duty to enforce the Charter and the ordinances of the City of Lansing and to inform the City Council and other officials of the requirements of the law and to insist that they be followed. The City Attorney can not sit as a bump on a log and watch the City get into serious legal problems before advising the city officials of these duties. In my opinion, there have been a series of failures on the part of the City Attorney, Al Knot, which is costing the City a great deal of money. If Al Knot is not an expert in municipal law, and therefore incapable of defending the City in the early retirement case, then he should not be City Attorney.

I suggest that the City replace the present City Attorney with someone who can and will be able to carry out the full responsibilities of the job.

Sincerely,
H. James Starr

4/ From Councilmember Belen a resolution in Support of United Airlines and their continued service in this area

HANDLED AS RESOLUTION #182

5/ From Councilmember Lilly a request that the rules be suspended to allow Representative Dianne Byrum to address City Council prior to the Public Hearing and Public Comment portions of the agenda

THE RULES WERE SUSPENDED AND REPRESENTATIVE DIANNE BYRUM ADDRESSED COUNCIL AFTER CONSIDERATION OF LATE ITEMS AND PRIOR TO THE PUBLIC HEARING PORTIONS OF THE AGENDA

MAYOR'S COMMENTS

Mayor Crawford announced that the yard waste curbside recycling program began today and runs through, December 3, 1993. Bundles of clippings must be less than 4 wide and must weigh less than 30 lbs. Oversize limbs may be taken to the Great Lakes Composting Center on Wood Road. Anyone with questions may call 484-2424.

COUNCILMEMBER'S COMMENTS

Councilmember Ford said he attended a benefit at the Radisson yesterday. Muhammad Ali was present at the fund raiser for Lansing boxing organizations and youth boxing organizations. He thanked Roger Turner, Joe Lipsey, and Bob Every for their help with this great event. He commended Muhammad Ali and thanked him for coming to Lansing.

Councilmember Schmidt commended the parents from Mt. Hope School for recognizing the importance of the Kids Kamps program and working to have their school designated as a Kids Kamp site. She requested that her colleagues regard this as an important expenditure during budget considerations. She asked Mayor Crawford to check into the condition of two gravel roads in the South side of town. They may need to spend additional monies to fill the huge pot holes on Northrup St. and on E. Willard Ave. off of Cooper Road.

Councilmember Beal thanked Professor Schuette from Purdue University for his input regarding the City Market. She indicated her appreciation for the comments Councilmember Schmidt made in her invocation tonight regarding Zolton Ferency. He was well known for his dedication to justice, anyone could go to him for advice whether they could afford to pay for it or not. She stated that she has serious concerns regarding the integrity of government. She is concerned over the recess of the Committee of the Whole meeting last Thursday. They were dealing with the rules of Procedure of the Board of Ethics and were to reconvene today at 6:00 P.M. This meeting was canceled unknown to her. It is starting to look like Watergate. The Board of Ethics meets tomorrow and will not have any rules of procedure. She is concerned that the Mayor will not reappoint Board Chairman John Mertz in June when his term expires. Mayor Crawford replied that he does not appoint to the Board of Ethics, Council does and he has not interfered with the Ethics Board in any way. Mayor Crawford said that Mr. Starr's letter is inaccurate and should be taken with a grain of salt. Councilmember Beal said she hopes that there are not any games going on behind the scenes with regard to this appointment. She wants to see this conducted openly and honestly.

Councilmember Lilly said he was not informed of the meeting cancellation either. Furthermore, the cancellation of a recessed meeting is completely improper according to Mason's Rules of Legislative Procedure. President Canady did not have the right to cancel it. The Ethics Board rules will not work the way they are written and he spent a lot of time reviewing them to make appropriate changes so that they will work. They are getting tied up in things that do not have anything to do with matters at hand. President Canady had to be out of the City, but other Councilmembers should have been here to deal with the City's business. These members were not excused by the presiding officer. Council President Canady took an action that he did not legally have the right to take and Councilmembers should have known it. His concern is that the proper procedure be followed because Council loses credibility when they do not do so.

President Canady said he canceled this meeting because he was not going to be in town. He resents the implication that he was obstructing the activities of the Ethics Board. This Board has only met twice this year so far and they have already stated that they are ready to make a decision. He is trying to pursue cause and effect. The political agendas of the members on Council are the real concern. If the cancellation of this meeting violates Mason's

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

procedures, he will take responsibility for it. He was concerned about this issue being dealt with when the entire body was not available to deal with it.

Councilmember Ford expressed his concern over where we are headed as a city. When he first came to City Council he was considered by many not to be a team player. His was a lone vote on many issues. Now Council is starting to fall apart. They should be able to disagree with each other and still listen to another's point of view. He reminded Counoilmember Lilly that he indicated his opposition to the recess of the Committee of the Whole in the meeting last week because he knew he would not be available for a meeting tonight. If the cancellation of this meeting goes against parliamentary procedure then deal with it and get on to the many critical issues facing Council right now. They must get on with conducting the City's business. The budget hearings are coming, as well as many other important city issues. They must make sure the City goes forward and stop calling each other names. He asked Mayor Crawford to investigate some complaints that he has received about grading and dumping of fill on Robertson and Redwood streets.

Councilmember Benavides said that he was not here for the meeting tonight because he received a call saying the meeting had been canceled. He has received a number of calls about the condition of streets in the city, the sewers, and trash in the right of way. He asked Mayor Crawford to give regular reports on how we are progressing in these areas. He is concerned over our ability to cover all of the areas of critical need. Mayor Crawford responded that he will keep Council informed to the best of his ability.

Councilmember Brockwell corrected Councilmember Beal's statement that John Mertz's term expires in June of 1993. Mr. Mertz's term actually does not expire until June of 1994. He responded to a question asked by Gary Andrews several weeks ago regarding the lighted tower on Cedar St. It is a relay tower for cellular telephones. All of the appropriate releases and permits have been issued by the City.

Councilmember Belen said that she also received a call informing her that tonight's Committee of the Whole meeting had been canceled. There are 127,000 people in the City of Lansing and it is the same 120 people coming down here every Monday to say what a terrible job they are doing. She gets hundreds of calls every week from people who say these 120 people should be ashamed of themselves.

PUBLIC COMMENTS

William Bernstein of 420 Baker St. said that Council cannot blame others for what they have done in the past. He will continue to come to meetings and demand justice. Council may be able to change Rule #19, but they cannot change the American Constitution. The citizens of the city demand freedom of speech, first amendment rights, and a 5 minute public comment period.

Reverend Larry Nichols of 2618 S. Waverly said the morale in the Police Department is low because of the charges against Police Sergeant Clyde Smith. This sets a dangerous precedent in this community. Sergeant Smith's record speaks for itself, seventeen years of duty and doing good police work. This sends signals to the criminals that they can continue their activities by claiming violation of their civil rights. The rights of criminals should not come before the rights of the citizenry or the Police Officers. Chief Boles is destroying the morale of the Lansing Police Department and he (Nichols) will not refer to him as chief again. Mayor Crawford has an opportunity to take the right stand and disengage himself from the political manipulations going on in the Police Department. Mayor Crawford responded that this officer is innocent until proven guilty. An Internal Affairs investigation lead to the belief that there may have been some wrong doing. This case was turned over to the Prosecuting Attorney's Offices so they could make a determination as to whether or not they should prosecute.

Terry Rutledge of 726 N. Pine, a member of the neighborhood watch for area 133, said that he knows Officer Ferguson very well. He is highly respected in this area. It is unjust to ask him to step down from the force. He has witnessed Officer Ferguson making arrests. He handles these people with kid gloves. He does not believe that the whole story has been told here. There is a lot of back biting in the Police Department. If justice is not done in the Police Department, how can it be done on the streets?

Frank Curtis of 1137 W. Allegan spoke in defense of Sergeant Clyde Smith and said that his job should be protected.

Ken Vaughan of 114 Garden St. spoke regarding the City's retirement system.

Mary Massoglia of 2911 Cooley Dr. made accusations of a conflict of interest involving a City Council staffmember because she is married to the City Attorney. She agreed with Mr. Teets that the reorganization plan should have been developed prior to early retirement being offered.

K.J. Langschwager of 1328 Prospect said that the Labor Relations Director was fired last fall because he did not agree with the early retirement package. He said that Labor Relations should be a separate department from Personnel. President Canady has harassed the Ethics Board and rendered them unable to do their duty.

Alexander Bolt of 1230 Reo Rd. said that the Ethics Board requires City Officers and Employees to file disclosures every time they are eligible to make more than $25.00. Mayor McKane, Jim Blair, and Al Knot should have filed disclosures. The Attorney should have informed them of this. This is a part time Council that deals with multi-million dollar issues every week. He accused them of being a rubber stamp council that is out of touch with the needs of the City. People of the City have no vision for the future and Council is partly to blame for this. They must be able to rely on their staff and must be able to have trust in them.

Tim Lewis of 500 S. Pine #1015 read the definition of fiduciary responsibility. The Officers of the City had a fiduciary responsibility to advise Council of their duty. Staff did not fulfill their responsibility. The Finance Director, Budget Director, and City Attorney are responsible for this plan.

Blagoy Pogoncheff of 1509 E. Grand River said Council had a responsibility to the citizens to ask questions and scrutinize the plan and to ask for public input. Council did not take the time or effort to review the plan, they relied solely on what was presented to them by trusted advisors, most of whom took the early out. There were many alternatives they could have implemented had they taken an adequate amount of time to consider the plan more fully.

Lloyd Teets of 116 E. Elm said the taxpayers will be paying for this plan for years and years and years. They will not allow this issue to

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

be swept under the carpet. They are outraged. This involves millions and millions of dollars over the next 40 years. The citizens have power greater than anyone sitting on the dais.

Betty Kost of 1425 McIntyre spoke in defense of Sergeant Clyde Smith and other law enforcement officers who put their lives on the line for all of us. They are outnumbered and out armed by criminals. They should not be reprimanded for simply doing their jobs. She asked that Council fund Kids Kamps sites for all schools in the city. They are desperately needed.

Gladys Gillison of 223 W. Barnes thanked Mary Haney for defending Sergeant Smith. She is very angry over this case. You train people to do a job and then suspend them for doing it. The Police Department took an anonymous letter and used it for the basis of the investigation of an Officer who has 12 years of services towards the safety of the City. Whoever took this action should be reprimanded. Twenty years ago the Board of Education took the same approach towards their teachers and look what has happened to the schools because of it. The same things will happen to the police force. Council should ask to have these men reinstated. This type of action should never have been instigated on the basis of an anonymous letter. She asked everyone who attended tonight's meeting for the purpose of protesting on behalf of these officers to stand. Approximately 60 people stood.

Del Maynard of 2017 Culver said we need to do everything we can to provide services and training for our young people. He received a ticket because he made a mistake in his yard waste refuse. The attitude of this employee was confrontational. He gets more respect from Police Officers. This is a mandatory program, and they need to assess the attitude used to address the citizens, who are the customers of the program. Council should follow parliamentary procedure as closely as possible, he said.

Jackie Smith of 2230 Dunlap spoke in defense of Sergeant Smith. She accused Council and Mayor Crawford of fence sitting because they are afraid of losing votes. The citizens have a right to know if Council and the Mayor represent them, or, the drug dealers. Citizens are being forced at gun point to deal with these drug dealers. The anonymous letter writer, supposedly a police officer, should be forced to identify him/herself.

Tommy Smith of 4921 Sidney said the Mayor should have come up with a stronger stand on the Police Officer issue. He is the top administrator of City Hall. This sends the wrong message to the neighborhoods and communities and gives free reign to the drug dealers. He is the brother of one of the accused officers. They are in a dangerous position. This has damaged the morale in the Police Department. In the future, agents will have a lack of willingness to cross this line of role playing. This has endangered the entire undercover program.

Councilmember Ford requested reports on this matter so that he does not have to rely on information gleaned from the newspapers. This issue could be referred to the Public Safety Committee for recommendation to Council.

Councilmember Schmidt said that this issue more properly belongs in the General Services Committee because it deals with personnel, not public safety. President Canady REFERRED THE ISSUE OF CHARGES AGAINST THESE POLICE OFFICERS TO THE COMMITTEE ON GENERAL SERVICES.

Councilmember Brockwell said these officers are innocent until proven guilty. This must run its' course. He thanked the people who attended tonight to defend these officers.

Mayor Crawford reminded everyone that the decision to prosecute did not come from the Mayor. Internal Affairs referred the results of their investigation to the Prosecutors Office who made the decision to prosecute. This is the function of the Prosecutors Office, not a political decision.

Councilmember Ford said that he asked for this report because of the comments made here tonight. As the Chair of General Services, he will gather whatever information is available, but it will be 2 weeks from Wednesday before they can take this up because of scheduling.

Councilmember Beal pointed out that the Prosecutor is an elected officer. She asked if these Police Officers were offered a choice of either stepping down, or being prosecuted. Mayor Crawford answered in the affirmative. He believes this to be the Prosecutor's right. Until these officers are proven not guilty, there will be a cloud over their heads.

Mary Haney of 1312 Roosevelt commended Councilmember Ford for speaking out on the Clyde Smith issue. She asked for an investigation of Officer Orin Dietrich.

Lee Shunk of 601 Leslie St. said he is proud to be represented by Councilmember Beal, and commended her for what she did tonight. He thanked City Attorney Knot for developing a petition for him.

Andrew Anthos of 208 W. Hillsdale said he is happy to see all of these people of the city coming to Council meetings to speak. Once the early retirement issue is settled, the rest of this will be a piece of cake for Council. When they get together and decide to get the city going, he will support them. He said Council must make the city live up to its' potential. They must do something to attract tourists. We need night clubs and movie theaters downtown to give people someplace to go.

Mary Houser of 6 Lawler Crt. said she does not blame the Chief of Police. He was put in a position where all he could do was to do his job. These Officers were given the choice to make. Officer Ferguson resigned under a lot of stress and should not have to publicly announce why he resigned. He is one heck of a Cop. She has seen him in the performance of his job many times and he is never overly aggressive with anyone he arrests. He has a calming affect on people. Whoever wrote the anonymous letter got what they wanted out of it at the expense of the other officers lives. The prosecutor should be looking into his own department, it needs to be investigated.

Paul Scott of 412 W. Kilborn said that City Attorney Knot advised the Committee of the Whole that they were in violation of the open meetings act. No other action could have been taken until tonight.

Dave Hein, homeless, spoke on behalf of every homeless person. He has heard that the Salvation Army facility on Saginaw is not up to par. He has been arrested 24 times since becoming homeless. Where is the funding for homeless people? Leave them alone and give them a chance.

Barry Juback of 11929 Upton Road said he feels sorry for Council for listening to all of these speeches tonight. He wants to go on

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

record as a character reference for Sergeant Smith. He has known him for 17 years and hopes he does not go down this way. He wants justice to be served. These Officers are super people and Lansing has great Street Cops.

Curtis Smith of 3950 Sheffield spoke on behalf of his brother, Clyde Smith, and the citizens of the community. People want and need good policemen on the force. They have good officers on this force, Clyde Smith is one of them. He is not a crook. What is the Mayor s responsibility in terms of the officials of the Police Department? Does he have anything to say about the decisions that are made? He accused top officials in the Police Department of being involved in this crooked deal and asked Mayor Crawford to seek God, if he knows that this is part of a crooked deal. Mayor Crawford said that he is as troubled by this as everyone in this room and in the City, but, they must trust the legal process to see justice done.

ADJOURNED 10:30 P.M.
MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, April 5, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
April 5, 1993

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Canady

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Benavides

MINUTES

By Councilmember Schmidt

To approve the Printed Council Proceedings of February 22, March 1, March 8, and March 15, 1993

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Brockwell

To accept the following under suspension of the rules:

1/ From Councilmember Brockwell, a request that the rules be suspended to allow Mayor Crawford to present a proclamation naming April 2, 1993 "Red Nose Day", during the Special Ceremonies Portion of the Agenda

2/ From Councilmember Brockwell, a Committee Report, by the Committee on Public Services regarding the Parks and Recreation Department reorganization

3/ From Councilmember Schmidt, a request that a number of National Merit Scholars be placed under Special Ceremonies on next week's agenda for presentation of their awards

Carried unanimously

SCHEDULED PUBLIC HEARINGS

There were no Scheduled Public Hearings

PUBLIC COMMENT

Russell Greear of 3801 Walton Dr. spoke in favor of the replacement of City Attorney, Al Knot on the Board of Ethics.

William Petry of 1416 N. Genesee supported the resolution replacing g City Attorney Knot on the Board of Ethics. He believes Mr. Knot's actions to be contradictory to the best interests of the City. Mr. Knot should be advising Councilmembers of possible dangerous consequences to their actions. He feels that Mr. Knot has given poor advice regarding an arrest for trespassing made in Senator Carl Levin's office recently.

Paget Maynard of 902 W. Shiawassee said it is in the best interests of the City for Al Knot to step down from the Ethics Board. He is pleased to see something is being done about this. There should be no Councilmembers on the Board of Ethics. He is glad to see the City developing a soccer complex, and volunteers his help on the project. The Mayor's Administrative Reorganization plan should be very carefully looked into. Another blow-up would be devastating.

Council President Canady informed Mr. Maynard that Councilmembers are prohibited from sitting on the Ethics Board.

Councilmember Ford explained that Mr. Knot is only being replaced on the Ethics Board for the purpose of consideration of the early retirement plan.

Susan Anderson of 3200 Leawood Dr. said she would like to see the City Attorney removed from office. He is creating a policy for the City of Lansing that she believes Council is not aware of. She read a letter written to Senator Carl Levin by Assistant City Attorney, John Roberts, regarding the arrest of three people for trespassing in his office. She asked Council to look into this matter.

Lloyd Teets of 116 E. Elm St. said that he stated several months ago that Mr. Knot should be removed from the Board of Ethics. He accused Mr. Knot and Council President Canady of preventing the Ethics Board from conducting their business. He requested that Council delay approval of the Mayor's Administrative Reorganization plan.

Chris Campbell of 417 N. Jenison, Chair of the Westside Neighborhood Organization's Zoning Committee, spoke in opposition to Z-22-91, 1100-1106 W. Ionia. The Planning Board and Mayor both recommended denial of this request. Please abide by their recommendations and deny this rezoning request.

Lee Shunk, Jr. of 601 Leslie St. spoke in support of the decision to replace Mr. Knot on the Board of Ethics. He is too involved to be objective on the early retirement issue.

Jerry Fuller of 224 E. Hodge spoke in favor of the Soccer Complex. He coaches soccer and has seen a great increase in the interest of soccer in this area. This is our opportunity to make Lansing the Soccer capitol of Michigan. It will draw people from all over into the area.

Rick Gambor of 1213 W. Shiawassee spoke in opposition to the rezoning of 1100-1106 W. Ionia. He is opposed to Council overriding the decision of the Planning Board. This property does not meet the requirements for a "C" Residential district. He is concerned about the precedent Council will set by voting in opposition to the master plan.

Daniel Morgan of 239 Mark St., member of the Ingham County Soccer Task Force, spoke in support of the proposed City of Lansing/Ingham County Soccer Complex. The majority of funding

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

for the project will come from Michigan Recreation bonds. This is their last opportunity to apply for these funds.

Fred Johnson of Post Office Box 626, Okemos, property owner of 1100 W. Ionia said he was not kept fully informed about what happened in the planning and zoning process. He said that 80% of the people within a 300 foot area are in support of his request. He feels his property conforms to the actual residential use in this area. This is not a single family area, even though it is zoned as single family. Councilmembers have all been to see his building and felt that it had good possibilities. He has done everything he has been asked to do, and complied with all of the City's requirements. He is now asking for Council's support of his request.

Ernestine MacMillan of 3614 Wainwright said that Mr. Johnson's building could be used in programs with the homeless. He has offered the use of his building to people on SSI for the betterment of their lives. Please support his rezoning request.

Debbie Heefner of 719 Community St. asked Council to proceed cautiously with the merging of the Human Resources and the Human Relations Departments. She spoke in support of the ballot proposal to change the requirements for candidates who wish to run for City Office. She feels that Mr. Decker should be given some payment on his claim. She spoke in favor of the re-classification of City Council staff member, Terese Horn. The reorganization plan is a good one, it will be very effective, if it is followed through with, and evaluated periodically.

Dorothy Matthews of 211 Lahoma spoke in opposition to the rezoning of 1100 W. Ionia. She lives within 2 blocks of this property. It has been an eye sore and problem rental unit for many years.

Harold Leeman of 529 N. Francis objected to items being missing from the black book. He is not in support of the resolution of claim settlement for Mr. Decker. He believes that the General Services Committee should not have any members on it who are up for re-election. He asked for discussion of the bonding that was approved by Council in 1989, and an open audit on itemized expenditures. He asked where the money for the Soccer Complex would come from.

SPECIAL CEREMONIES

A. Chief of Police, Jerome Boles, along with Representatives from the Ingham County Sheriff's Office, Eaton County Sheriff's Office, Michigan State Police Department, Board of Water & Light, and Continental Cablevision presented Mayor Crawford with the National Night Out Safety Award. Mayor Crawford accepted the award and congratulated the Lansing Police Department and City Council who initiated this program several years ago.

B. Mayor Crawford presented a proclamation to Len Lapak which declared April 2, 1993 as "Red Nose Day" in Lansing. This is in honor of a fund raiser to help combat Sudden Infant Death Syndrome (SIDS). Mr. Lapak thanked the Mayor and Council for the placque he received last week. SIDS kills several thousands of babies every year, and as a SIDS grandfather, he looks forward to the day when no one has to worry about losing their babies to SIDS. Councilmember Ford thanked Mr. Lapak and his wife, Mary for the invitation to speak at the Lansing Mall on Friday. His (Ford) brother died from SIDS. This is a very important program. Councilmember Schmidt thanked Mr. Lapak for the invitation and said she still has her nose on the wall in her office.

COMMUNICATIONS AND PETITIONS

By Councilmember Belen

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Canady

Carried unanimously

A. SLU-05-93, Special Land Use Request for property located at 1829 Coleman submitted by Michigan Bell Telephone to allow for development of a building to house equipment

REFERRED TO THE MAYOR AND THE PLANNING BOARD

B. Z-01-93, Petition for rezoning at 1829 Coleman from "C" Residential to "J" Parking district, submitted by Michigan Bell Telephone to allow for development of a building to house equipment

REFERRED TO THE MAYOR AND THE PLANNING BOARD

C. Z-02-93, Petition for rezoning at 6066 & part of 6070 S. Dr. Martin Luther King, Jr. Blvd./Logan St. from "A" Residential, "F" Commercial, and "J" Parking to "F" Commercial district, submitted by Eric S. Clark of 6070 S. Dr. Martin Luther King, Jr. Blvd./Logan St. to allow for construction of a commercial addition to his building

REFERRED TO THE MAYOR AND THE PLANNING BOARD

D. Letter from Frances Tyler of 453 E. Edgewood, Apt. C requesting that the Committee of the Whole meetings be televised

REFERRED TO THE COUNCIL PRESIDENT

E. Claim appeal of W.S. Chaliman of 900 Long Blvd., 1673

REFERRED TO THE CITY ATTORNEY AND
THE COMMITTEE ON GENERAL SERVICES

F. Petition signed by 224 residents of the Mid-Michigan area in support of the Community Service and Referral Center

RECEIVED AND PLACED ON FILE

G. Claim of Dave Hein, General Delivery, Lansing, MI 48901

REFERRED TO THE CITY ATTORNEY

H. Letter from Continental Cablevision submitting proof of publication of Customer Notice of Rate Increase

RECEIVED AND PLACED ON FILE

I. Letter from Kenneth E. Swan, 3701 14th St. W., Bradenton, FL, Retired City of Lansing Police Officer, requesting an increase in his retirement benefits

REFERRED TO THE MAYOR AND THE
POLICEMEN & FIREMEN'S RETIREMENT BOARD

J. Letter to City Council from Attorney H. James Starr regarding City Attorney, Al Knot

At the request of Councilmember Lilly Items VIII-J., and VIII-K. were read into the record. Councilmember Lilly publicly commended Mr. Starr for retracting his statements when he realized they were in error.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

March 30, 1993
Lansing City Council
City of Lansing
124 Michigan Avenue
Lansing, Michigan 48933

Re: Al Knot, City Attorney

Dear Councilpersons:

In my letter of March 26, 1993, I criticized the City Attorney for his advice to Councilpersons that they could be personally liable for their vote to delay the implementation of the early retirement plans. I claimed that there is absolute immunity pursuant to MCL 691.1407(5).

There is absolute liability under the state law cited. However, there well could be an argument under Federal law, specifically Title 42, Section 1983. There are several cases which hold that members of municipal legislative bodies enjoy abolute immunity when acting in their legislative capacity under 42 USCS 1983. There are, however, cases which have held that there is not absolute immunity. While I would argue that the Councilpersons would have been absolutely immune because they were carrying out their legislative functions, I can not guarantee that a court would not disagree with me.

I, therefore believe that my criticism of Mr. Knot on that point is not justified. I therefore suggest that you disregard that criticism.

Sincerely,
H. James Starr

RECEIVED AND PLACED ON FILE

K. Letter to City Attorney, Al Knot from Attorney, H. James Starr regarding liability of City Councilmembers

March 30, 1993
Mr. Al Knot
City Attorney
City of Lansing
124 Michigan Avenue
Lansing, Michigan 48933

Re: Liability of City Council Members

Dear Mr. Knot:

In my letter to Lansing City Council of March 26, 1993, I criticized you for your advice to the Council members that they could be personally liable for voting for a delay in implementation of the early retirement until after approval of the Attorney General or the court. I maintained that under MCL 691.1407(5) that there is absolute immunity for Councilpersons when acting in their legislative function.

While there are cases which hold that municipal legislative bodies enjoy absolute immunity when acting in their legislative capacity, under 42 USCS 1983, there are other cases which indicate that the immunity is not absolute. I, therefore believe that my criticism is unjustified and I owe you an apology.

Sincerely,
H. James Starr

RECEIVED AND PLACED ON FILE

MAYOR'S COMMENTS

Mayor Crawford had no comments

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. **RESOLUTION #183**
April 5, 1993
President Canady and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

AUCTIONEER: Robert E. Howe, Jr., d/b/a Heritage Auction Farm
BUILDING MOVER: Williams House Moving
BUILDING WRECKER: Parish Corporation
ICE CREAM PEDDLER: Cap'n Blizzard
PUBLIC DRIVER: Mark Allward, Ray Darrell Durtche, Don Hargraves, Eugene D. Hetherington, James M. Reynolds

Sincerely,
Marilynn Slade, City Clerk
City of Lansing, MI

By Councilmember Schmidt

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of March 22, 1993 and March 29, 1993 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1/ Daytime Support Center Objectives and Service Plan

REFERRED TO THE AD HOC COMMITTEE ON THE HOMELESS

2/ Resolution, River Trail Easement

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

3/ Bid Acceptance, Pavement Marking Paint Application Contract

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

4/ Disposition of City of Lansing Historical Items

RECEIVED AND PLACED ON FILE

5/ Resolutions replacing Resolution #471 adopted 8-27-90, and Resolution #190 adopted 04-06-1990

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

COMMITTEE REPORTS

RESOLUTION #184
THE COMMITTEE ON GENERAL SERVICES, to whom was referred those portions of the Mayor's proposed Executive Re-Organization Plan regarding consolidation of the Human Relations and Human Resources Departments, plus reductions in the 54-A District Court and the Law Department,

REPORTS AS FOLLOWS: The Committee heard explanations of the proposed changes from Administration representatives.

By a 2-1 vote, the Committee approved a motion to recommend the consolidation of the Human Relations and Human Resources Departments, which will allow a net reduction of six full-time positions. Chairperson Ford was not in favor of the motion, explaining that he believed this consolidation will dilute the importance and effectiveness of the City's equal opportunity/affirmative action program.

The Committee unanimously supported proposed reductions in 54-A District Court and the Law Department. The District Court Administrator reported some cost-savings beyond the net reduction of one position contained in the Mayor's proposal. The Law Department will be able to reduce two full-time clerical positions because staff attorneys with desktop computers are doing their own word processing. The City Attorney predicted that further clerical reductions are possible if additional computers for attorneys can be purchased.

This report is for information only, and no Council action is required.

Signed: Charles Ford
Alfreda Schmidt
Robert Brockwell

April 5, 1993

BY COUNCILMEMBER FORD:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

Z-22-92
1100-1106 West Ionia Street

THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of the rezoning petition Z-22-92, 1100-1106 West Ionia Street, to be rezoned from "B" Residential District to "C" Residential District

REPORTS AS FOLLOWS: The Committee fully discussed the rezoning petition and the Planning Board's recommendation for denial. By a 2-1 vote, the Committee approved a motion to recommend that the rezoning be granted.

SIGNED: RICK LILLY
Lucile Belen
Mark H. Canady

COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Lilly:

That the report of the Committee be received.

DEFEATED BY THE FOLLOWING VOTE

YEAS: Councilmembers Belen, Benavides, Canady, Schmidt

NAYS: Councilmembers Beal, Brockwell, Ford, Lilly

ABSENT: None

RESOLUTION #185
THE COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred Mayor's proposed reorganizations of the Planning and Municipal Development Department and the Public Service Department,

REPORTS AS FOLLOWS: The Committee reviewed and recommends approval of the proposed changes to each department.

The Planning and Muncipal Development Department is being renamed as the Municipal and Neighborhood Development Department, and the reorganization will create a net reduction of 10 authorized positions for an annual savings of $442,149 in salaries.

The Public Service Department will see a net reduction of 10 full-time and six part-time positions for an annual savings of $596,226 in salaries.

This report is for information only, and no Council action is required.

Signed: Richard J. Lilly, Chair
Mark H. Canady
Lucile E. Belen

April 5, 1993

BY COUNCILMEMBER LILLY:

That the report of the Committee be received, with one correction noted, the net reduction is 16 full-time and six part-time positions.

CARRIED UNANIMOUSLY

RESOLUTION #186
THE COMMITTEE ON PUBLIC SAFETY, to whom was referred the Mayor's proposed reorganization of the Police Department,

REPORTS AS FOLLOWS: The Committee reviewed this matter with the Deputy Chief of Police. The reorganization will produce a net reduction of two civilian and one sworn positions for an annual savings of more than $125,000 in salaries. The Committee has been satisfied that LPD services will not be adversely affected, and the Committee recommends approval of this reorganization. This report is for information only, and no Council action is required.

Signed: Alfreda Schmidt
Tony Benavides
Charles Ford

April 5, 1993

BY COUNCILMEMBER SCHMIDT:

That the report of the Committee be received.

CARRIED UNANIMOUSLY, COUNCIL PRESIDENT CANADY ABSENT FOR THE VOTE ON THIS ITEM

RESOLUTION #187
THE COMMITTEE ON WAYS AND MEANS, to whom was referred

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

those portions of the Mayor's proposed Executive Reorganization Plan regarding the elimination of the Administrative Services Department, reorganization of the Finance Department, and reductions in the Mayor, City Clerk, and City Council Offices,

REPORTS AS FOLLOWS: Under the proposed reorganization the Divisions of the Administrative Services Department are assigned to the following Departments;

FUNCTION	DEPARTMENT
Computer & Communications	Mayor's Extended Staff
Central Garage	Mayor's Extended Staff
Building Maintenance	Public Services
Operational Services	Finance

In addition, the Budget Division of Finance will now be assigned to the Mayor's Office as Extended Staff

Overall, the number of positions reduced and the accompanying dollar savings under the proposed reorganizations reviewed in Committee are delineated as follows;

DEPARTMENT	POSITIONS	SAVINGS
Admin. Services	10	$472,017
Finance	9	$356,507
City Council	3	$140,920
City Clerk	1	$ 41,818
Mayor's Office	1	$ 38,286

This report is for information only, and no Council action is required.

SIGNED: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

That the Report of Committee be received.

CARRIED UNANIMOUSLY

April 5, 1993

RESOLUTION #188
THE COMMITTEE OF THE WHOLE, to whom was referred the request by the Election Commission to place an issue on an upcoming ballot that would amend the City Charter to reduce the number of petition signatures needed by candidates or initiatives or referenda, or substitute a filing fee,

REPORTS AS FOLLOWS: The Committee of the Whole refers this request to the Committee on General Services for further investigation and to the City Attorney for development of draft language for the ballot issue.

Signed: Mark H. Canady, Chairperson
Robert Brockwell, Vice Chairperson
Ellen M. Beal
Lucile E. Belen
Tony Benavides
Charles Ford
Richard J. Lilly
Alfreda Schmidt

April 5, 1993

BY COUNCILMEMBER BROCKWELL:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #189
THE COMMITTEE ON PUBLIC SERVICES, to whom was referred the Mayor's proposed Executive Re-Organization Plan for the Parks and Recreation Department,

REPORTS AS FOLLOWS: The Committee devoted considerable time to discussing the re-organization. The Committee notes that 12 positions will be eliminated, including 2 as a result of transferring management of the Market to a non-profit management board. The total of 12 positions is 5 fewer than anticipated when the FY 92-93 Budget was adopted. Savings from this re-organization are projected to be $456,710.

The Committee voted to approve this re-organization plan.

This report is for information only, and no Council action is required.

SIGNED: Bob Brockwell
Tony Benavides
Ellen Beal
Committee on Public Services

BY COUNCILMEMBER BROCKWELL:

That the Report of Committee be received.

CARRIED UNANIMOUSLY

April 5, 1993.

RESOLUTIONS

RESOLUTION #190
BY THE COMMITTEE ON ECONOMIC DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has recommended reappointment of Mr. Gerald Lett (Term to expire February, 1998) and William Porter, Jr., (term to expire February, 1999) to the Economic Development Corporation Board/Board of Directors;

NOW, THEREFORE, BE IT RESOLVED, that the reappointments or Mr. Lett and Mr. Porter, Jr., are hereby confirmed.

By Councilmember Belen

Carried unanimously

April 5, 1993

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Ronald J. Decker filed a claim against the City in the amount of $1,000.00 for lost wages and reimbursement of costs due to a sewer back-up at his residence located at 515 Irvington; and

WHEREAS, the City Attorney's staff recommendation was to deny

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

the claim; and

WHEREAS, the claimant appeared before the General Services Committee, furnishing testimony and evidence in support of the claim, saying that a design flaw had been causing recurring sewer back-up problems at his residence for 25 years; and

WHEREAS, the Committee recommends that under the circumstances of this particular claim, the City should make an offer in the amount of $600.00 to settle the claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to make an offer of $600.00 to settle the claim of Ronald J. Decker; and

BE IT FURTHER RESOLVED the City Attorney is requested to notify the claimant of this action; and

BE IT FURTHER RESOLVED if the claimant does not contact the City Attorney to indicate acceptance of this offer by 5:00 PM on Friday, April 16, 1993, this claim shall be considered denied.

BY COUNCILMEMBER FORD:

That the resolution be adopted and sent to the City Attorney for follow-up action.

Defeated by the following vote:

YEAS: Councilmembers Benavides, Brockwell, Lilly, Schmidt

NAYS: Councilmembers Beal, Belen, Canady, Ford

By Councilmember Ford

To reconsider the resolution approving the claim of Ronald J. Decker

Carried unanimously

By Councilmember Ford

To substitute a resolution of denial for the resolution approving the claim settlement for Ronald J. Decker

Defeated by the following vote:

YEAS: Councilmembers Beal, Belen, Canady, Ford

NAYS: Councilmembers Benavides, Brockwell, Lilly, Schmidt

RESOLUTION #191
PHYSICAL DEVELOPMENT COMMITTEE

SLU-1-93—3202 South Pennsylvania Avenue

WHEREAS Derwood Boyd requested a Special Land Use permit to establish a beauty salon at 3202 South Pennsylvania, and more particularly described as:

Lot 20 and N 30 Ft Lot 19 also Lot 21 exc N 3 FT, Walter Neller Co.'s Professional and Business Mart Subdivision, City of Lansing, Ingham County, Michigan,

and,

WHEREAS Mr. Boyd, who currently operates an insurance agency in this multi-tenant building, proposes to lease a portion of the building to the beauty salon which will have up to four chairs, and

WHEREAS Section 1260.04 of the Zoning Code permits beauty salons in the "D-1" Professional Office District subject to the requirements of a Special Land Use permit, and

WHEREAS the Planning Board, at their March 2, 1993 meeting, unanimously recommended approval of the request with the conditions that improvements to the parking and landscape screening and buffering be made, and

WHEREAS, the Physical Development of Council concurs therewith,

NOW THEREFORE BE IT RESOLVED that the Council of the City of Lansing hereby approve the request to establish a beauty salon upon the above-described premises with the condition that the parking and landscape screening and buffering requirements of the Planning Division's site plan review be completed, and

FURTHER that the Council considered the criteria for special land uses found in Chapter 1282 of the Zoning Code and found the following:

1. The special land use can be operated in a manner harmonious with the character of adjacent tenants of the structure and surrounding properties provided that landscape screening and buffering is installed along the west property line.

2. The proposed special land use will not change the essential character of the surrounding property.

3. The proposed special land use will not interfere with the general enjoyment of adjacent property.

4. The improvements required of the special land use represent an improvement to the character and the environment of the site.

5. The special land use will not be hazardous to adjacent properties or involve uses, activities, materials or equipment which are detrimental to the health, safety or welfare of persons or property.

6. Additional public services are not required to serve the special land use request.

7. Additional public services are not required to serve the special land use request.

8. The Zoning Code requires landscape, screening and buffering along the property's western property line where it abuts residential development.

9. The special land use meets the dimensional requirements of the Zoning Code in terms of structural setbacks and parking spaces. Any new signage proposed must comply with the requirements of the Sign Code.

By Councilmember Lilly

Carried unanimously

RESOLUTION #192
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Council Vice President has worked with staff in developing a reorganizational plan for the Internal Audit function, and

WHEREAS, this plan was presented to and approved by the Committee on Ways and Means; and

WHEREAS, the Committee concurs with the recommendation of the Vice President that it is more efficient and less expensive to utilize current staff for clerical support of the Internal Audit function as compared to hiring part-time help; and

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

WHEREAS, the current City Council Receptionist/Steno possess the skills necessary to provide clerical support, and has agreed with the recommendation of the Vice President.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby reclassifies Ms. Terese Horn from a pay range 24 to a pay range 27 effective April 5, 1993.

April 5, 1993

By Councilmember Benavides

Carried unanimously

RESOLUTION #193
BY THE COMMITTEE ON WAYS AND MEANS AND THE COMMITTEE ON PHYSICAL DEVELOPMENT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the 1992 Ingham County Parks Master Plan was developed under the direction of the Ingham County Board of Commissioners to establish a systematic plan to meet the goal of providing adequate recreational facilities for the residents of Ingham County; and

WHEREAS, during the Master Plan process a series of public workshops was held during which participants identified a need to develop additional soccer facilities around the Lansing metropolitan area; and

WHEREAS, a Task Force, comprised of Ingham County citizens with an interest in youth and adult soccer in the Lansing area, after meeting for more than a year, has recommended that a joint project between the County and the City of Lansing be pursued to develop a soccer complex on a site currently owned by the City of Lansing; and

WHEREAS, the Park Board, the Parks and Recreation Department and Mayor have recommended concurrence with Ingham County; and

WHEREAS, the proposed sources of funding are as follows:

Ingham County	$124,000
City of Lansing	$124,000
Department of Natural Resources Grant	$744,000

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council supports the concept as proposed by Ingham County in requesting a grant from the Natural Resources Trust Fund or the Michigan Recreation Bond Program in the amount of $744,000; and

BE IT FINALLY RESOLVED, that the City matching funds would come from the sale of a portion of Parcel D, with the remaining balance needed to be appropriated from the Park Acquisition and Development Capital Improvement Account, if grant is awarded.

April 1, 1993

By Councilmember Lilly

Carried unanimously

RESOLUTION #194
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Board of Ethics has voted to exclude the City Attorney from deliberations during the Board's current investigation into the circumstances involved in this Council's adoption of the 1992 Early Retirement Incentive; and

WHEREAS, the Board has further requested that this Council appoint a temporary member to replace the City Attorney; and

WHEREAS, the Committee of the Whole, has reviewed this matter and recommends approval of the Board s request;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the request from the Board of Ethics for appointment of a temporary member to replace the City Attorney for the sole purpose of the investigation by the Board of the 1992 Early Retirement Incentive; and

BE IT FURTHER RESOLVED the Council will begin immediately to recruit a qualified City resident to be temporarily appointed to the Board of Ethics for this purpose.

April 5, 1993

By Councilmember Ford

Carried unanimously, Councilmember Belen absent for this vote

RESOLUTION #195
RESOLUTION REGARDING PARKING PROJECT
City of Lansing
County of Ingham and Eaton, Michigan

WHEREAS, on October 23, 1989, the City of Lansing (the "City"), by resolution of its City Council (the "City Council"), authorized acquisition of certain property, as detailed in said resolution, for the purpose of construction automobile parking lots (the "Project"); and

WHEREAS, on November 14, 1989, the City executed a Limited Tax Full Faith and Credit General Obligation Contract of Lease (the "Contract"), with the City of Lansing Building Authority (the "Authority") which Contract provided that the Authority would acquire the Project for lease by the Authority to the City as detailed in the City Council Resolution adopted October 23, 1989; and

WHEREAS, on November 16, 1989, the City published a Notice of Intention of Entering into Tax-Supported Contract of Lease and of Right to Petition for Referendum Thereon (the "Notice") stating that the Contract would become effective unless a petition for referendum was filed with the City Clerk within 45 days following publication of the Notice, and no petition was filed with the City Clerk requesting a referendum; and

WHEREAS, the Authority has been actively pursing acquisition of the necessary property interests for the Project as required by the Contract; and

WHEREAS, the Authority has recommended that, as a cost-saving measure, certain parcels, as hereinafter described, be deleted from the schedule of property to be acquired for the Project.

NOW, THEREFORE, BE IT RESOLVED:

1. The City agrees that the Authority may cease its efforts to acquire the parcels located at 135 N. Larch Street, 154 S. Larch Street, 220 S. Larch Street, 138 N. Cedar Street and 229 S. Cedar Street.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

2. The Mayor and City Clerk are hereby authorized to execute and deliver an amendment to the Contract and any other agreements, documents and certificates necessary to accomplish the intent of this Resolution, and to take all other actions necessary to accomplish the intent of this Resolution.

3. It is the Council's intent that any properties acquired shall be developed for public parking purposes consistent with this Council's October 23, 1989, Resolution (Resolution #450 of 1989) for a period of at least five years.

4. All resolutions and parts or resolutions insofar as they conflict with the provisions of this resolutions be and the same hereby are rescinded.

By Councilmember Benavides

Carried unanimously

RESOLUTION #196
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has submitted a proposed Executive Re-Organization Plan that includes a net permanent deletion of 80 authorized positions at an annual savings of over $3 million; and

WHEREAS, various aspects of the Plan have been reviewed by Council Committees and all have recommended approval; and

WHEREAS, a final review was done by the Committee of the Whole, which has reported the Plan for approval;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the Mayor's Executive Re-Organization Plan as submitted to the Committee of the Whole on March 11, 1993.

April 5, 1993

By Councilmember Lilly

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Lilly, Schmidt

NAYS: Councilmember Ford

ABSENT: None

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

A. BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

Z-22-91, 1100-1106 W. Ionia St., Rezoning from "B" Residential to "C" Residential District

By Councilmember Lilly

To discharge the Committee on Physical Development from this item

Carried unanimously

By Councilmember Lilly

To suspend the rules to allow for adoption of a resolution of denial on this rezoning request

DEFEATED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Beal, Brockwell, Ford, Lilly

NAYS: Councilmember Belen, Benavides, Canady, Schmidt

ABSENT: None

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Brockwell, a request that the rules be suspended to allow Mayor Crawford to present a proclamation naming April 2, 1993 "Red Nose Day", during the Special Ceremonies Portion of the Agenda

THE RULES WERE SUSPENDED AND MAYOR CRAWFORD PRESENTED A PROCLAMATION TO LEN LAPAK DURING THE SPECIAL CEREMONIES PORTION OF THE AGENDA

2/ From Councilmember Brockwell, a Committee Report, by the Committee on Public Services regarding the Parks and Recreation Department reorganization

HANDLED AS RESOLUTION #189

3/ From Councilmember Schmidt, a request that a number of National Merit Scholars be placed under Special Ceremonies on next week's agenda for presentation of their awards

PLACED ON THE AGENDA FOR THE APRIL 12, 1993 MEETING AT THE REQUEST OF COUNCILMEMBER SCHMIDT

MAYOR'S COMMENTS

Mayor Crawford had no comments

COUNCILMEMBER'S COMMENTS

Councilmember Ford spoke regarding a meeting held at Dwight Rich Middle School last Wednesday. There were hundreds of people in attendance to discuss alternatives for kids. He has received a number of phone calls regarding the meeting. They are forming a committee to look into bringing athletics programs back into middle schools. Anyone interested in this topic should call him at his City Council Office phone number, 483-4190, or, send him a letter. He feels these important programs should be brought back because it could curb some of the behavior being exhibited in Middle Schools. He announced that he will be absent from next Monday's City Council Meeting.

Councilmember Schmidt said that Anabelle Dryer, Richard Preston, and Sister Elizabeth Walters were trespassing when they were arrested at Senator Levin's Office. The Lansing Police were called by the Senator's staff and responded to that call. It has become a habit of these people to visit the offices of legislators for the purpose of protesting decisions made in Washington. This is against the law, and when you break the law you face the consequences. She wished everyone a Happy Easter.

Councilmember Brockwell said that he spoke to the Chief of Police about this arrest. The Police Department agrees with the City Attorney's position. They cannot be expected to perform as public bouncers. They were called to enforce the trespassing law, and the person who called refused to press charges. He addressed his

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

next comment to someone named Barbara, who lives in Ward 2; He would like to explain to her how he voted last week, but he cannot, because she did not give him any means of contacting her. Please contact him at 483-4170.

Councilmember Lilly said that 25 years ago yesterday we lost the most dynamic leader in the 20th Century when Doctor Martin Luther King, Jr. was killed. Please remember him and what he stood for this week and try to live by his principles.

Councilmember Beal said that civil disobedience is a long standing American tradition. This is the way to change laws that you do not believe are morally right. She is pleased to see that they will stop the acquisition of properties on Michigan Ave. She noted that in vital cities, parking is always at a premium, and should be. Council should look at innovative ways to bring people into the city that do not require parking expansion. They should be looking at things like commuter trains. This land cannot be developed for 5 years, so they have plenty of time to make sure that it is developed in a way that they can be proud of.

Councilmember Belen said that she hopes that people will support their request for a transfer to the Law Department when they have to hire more outside attorney's to fight Terry Whitman. The City Attorney is required by Charter to handle law suits regarding ordinances and workman's compensation. He can not be an expert in everything. The City Attorney is appointed by the Mayor and confirmed by City Council.

PUBLIC COMMENTS

Mark Eggleston of 2800 S. Waverly Rd. thanked Councilmember Brockwell for working to keep baseball fees at last year's level. He said he has seen a decline in the condition of the City's parks in the last year. He reviewed the qualifications of several candidates for Mayor.

William Bernstein of 420 Baker St. said that he will continue to come to Council meetings and demand justice.

Ammahad Shekarakki of 902 W. Willow St. said there are too many businesses in this city that will not hire black people. Many people in charge of making and upholding laws have the same kind of racist attitudes. We must come together in this city.

Doctor Earl T. Pully, Jr. of 601 N. Cedar commended Council for the wonderful things they have done. President Canady has done a good job of handling the Council meetings. He spoke in support of the Soccer Complex.

Clara Wall of 2822 Fielding stated that she has M.S. She will be walking in the M.S. walk in two weeks and is soliciting donations. All of the money she gets will go to help victims of the disease who are in worse condition than she is.

Lee Shunk of 601 Leslie St. said he got a letter from Councilmember Belen regarding his petition drive to change the charter as it regards the appointment of the City Attorney. He is attempting to make the City Attorney's job an elected position so that it is easier to change City Attorney's, if necessary.

Timothy McBride of 328 S. Magnolia said you do not get a guarantee when you buy a house. He referred to the debates among Councilmembers tonight as "three legged dog debates". He asked why they don't simply allow the City Attorney to abstain on votes related to the Early Retirement plan.

Jerry Dunn of 6218 Marscot said Councilmember Schmidt's comments about trespassing were interesting. It is interesting that the idea of people trespassing is considered to be more of an offense than public officials in Washington taking money from foreign governments. Are law and ethics mutually exclusive? He does not think the legal profession has a handle on what ethics are. He would be in favor of appointing someone other than a lawyer to the Ethics Board.

Harold Leeman of 529 N. Francis commended Council for their comments in memory of Zolton Ferency last week. He noted that the State Journal has printed a correction regarding the directive to destroy the tapes of a Board of Ethics meeting. He asked Councilmember Belen if she would be in support of a ballot proposal to make the City Attorney's an elected office. Maybe Council should place the issue of a Charter amendment on the ballot themselves.

Ken Vaughan of 114 Garden St. said that, if Council could admit their mistake and go back and correct it, they would not have the trouble they have today. He volunteered to serve on the Ethics Board.

Mary Massoglia of 2911 Cooley Dr. said she hopes the Parks and Recreation Department did not take too many cuts. We need the Parks staffed for our kids. Parks Programs will help to keep them out of trouble. She asked that Council accord these programs the importance they deserve. She asked Councilmember Benavides about the progress made regarding yield signs in her neighborhood. She approved the removal of City Attorney Knot from the Ethics Board.

Russell Greear of 3801 Walton Drive said that Senator Levin should have called the FBI to have the trespassers removed from his office. City Offices should be handled by City Police, State Offices should be handled by State Police and Federal Offices should be handled by the FBI. He advocated removing basement parking places assigned to City Councilmembers. They should have to park in the streets. Councilmembers should be listening to the public when they speak, not talking amongst themselves.

Steve Harry of 3125 Tecumseh River Dr. said he is working with two groups who are suing the city. Concerned Citizens to Save Lansing believe they will win their lawsuit. The Clean Sweep Committee is trying to recall President Canady, and Councilmembers Brockwell and Benavides. He offered to deliver recall petitions to anyone who wants to sign them. Steve Duarte retired with 15 years of service and will receive $55,000 per year in retirement benefits.

Edward Bobrowski of 2410 W. Willow spoke regarding his brother, Richard Pine. He was jailed last year and died from methanal poisoning. They are now finding that his death was caused from the neglect of the arresting Police Officer, who refused to allow him medical treatment. His brother asked to be examined by a doctor. His request was denied. He asked Council to do something about this. He cannot get information from the City Attorney's Office because every time he goes there he is kicked out within 5 minutes.

Lloyd Teets of 116 E. Elm St. accused President Canady of asking Mrs. Knot to secretly tape the Board of Ethics meeting. He said Dr. Martin Luther King, Jr. did not practice civil disobedience, he

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

practiced civic responsibility. He told Councilmember Schmidt that he is a great admirer of Sister Walters, the tax payers own that building and Senator Levin's Office. It is a public area in a public building. There is no such thing as trespassing in the public area of a public building and he would be willing to defend this premise in a court of law at anytime.

Del Maynard of 2017 Culver asked Council to direct the Mayor to not spend money on a parking lot that no one is using. He drove by the parking lot on Michigan Ave. everyday last week and never saw a car in it. Council should encourage the building of an apartment building on this property. He suggested that Mr. Johnson be refunded the money he has spent on his building and offered an exchange of property.

Paget Maynard of 902 W. Shiawassee demanded that attention be paid to public speakers when they address Council. He was shocked at the behavior of Councilmembers last week. The Clean Sweep movement gained credence because of that behavior. He announced that the YMCA Christian Emphasis Committee will hold a Good Friday Breakfast this Friday.

Susan Nichols of 540 W. Willow said she cannot hear the comments made by Councilmembers because of all of the noise in the audience. She appreciates Councilmembers sitting up on the dais for three hours listening to people complain. If the State early retirement program had not been approved, she would not be employed.

Fred Johnson of P.O. Box 626, Okemos said he has spent almost $15,000 on his property at 1100 W. Ionia. This is a very difficult procedure. A very small group of people were behind the protest of his rezoning. There is nothing technically wrong with this building that should prevent it from being rezoned. He has spent a year working with city officials to get this rezoning approved.

William J. Smith of 222 N. Hosmer spoke regarding the validity of Chapter 660, Section 660.02 of the Code of Ordinances of the City versus the State statute on trespassing. He has been arrested two more times. He will not quit visiting his wife in her nursing home. Her rights, as well as his rights, are being violated.

Paul Scott of 1137 Kilborn said that Mr. Johnson bought his building for speculation not for a personal residence. In these cases sometimes you win sometimes you lose. The point of zoning is not to point out what is true, but what you hope might be true. Fran Knot, he said, did not take it upon herself to secretly record anything. He is distressed to hear the word "remove" being used in connection with the City Attorney's position on the Board of Ethics. This is just for the purpose of investigation of the early retirement plan.

ADJOURNED 11:00
MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, April 12, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
April 12, 1993

The City Council of the City of Lansing met in regular session and was called to order at 7:05 P.M. by President Canady

PRESENT: Councilmembers Beal,Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Belen

CONSIDERATION OF LATE ITEMS

By Councilmember Brockwell

To accept the following under suspension of the rules:

1/ From Councilmember Brockwell, a Committee Report from the Committee on Public Services regarding property located at 200 N. Pennsylvania

2/ From Councilmember Brockwell, a request that Items numbered as XII E-I and XII E-2 be pulled from tonight's agenda

3/ From Councilmember Brockwell, a report from the Elected Officers Compensation Commission

4/ From Councilmember Lilly, a Resolution regarding the disposition of a structure at 1026 N. Capitol Ave. by Emanuel First Lutheran Church

5/ From Councilmember Belen, a resolution appointing Stuart Dunnings, Jr. to the Board of Ethics to serve as a replacement for City Attorney Al Knot for the purpose of consideration of the Early Retirement issue

6/ From Councilmember Ford, a resolution of Tribute to Walnut Street School PTA, Walnut Street School, and Michigan National Bank for their partnership project, and a request to present the Resolution during Special Ceremonies

7/ From Councilmember Ford, a request that Special Ceremonies be moved up to take place prior to Public Comment

Carried unanimously

SCHEDULED PUBLIC HEARINGS

There were no Scheduled Public Hearings

SPECIAL CEREMONIES

A. Councilmember Sohmidt presented Resolutions of Tribute to Geneva Smith, who accepted on behalf of Christopher Jenkins, Anthony Estell, Shayla Harris, and Cayenne Mandua, who are National Achievement Scholarship Competition Award Finalists. Ms. Smith thanked Councilmember Schmidt and remaining City Council members.

B. Councilmember Ford presented a resolution of Tribute to Charles Kight, Vice President of Michigan National Bank, James Davis, Principal of Walnut St. School, and Mary Jo Kerekes, Walnut St. School PTA President in honor of their Michigan PTA Education Partnership Award.

PUBLIC COMMENT

Grady Porter of 745 W. Lenawee spoke in opposition to SLU-11-92 and SLU-12-92, requests for special land use by Emanuel First Evangelical Lutheran Church.

Russell Greear of 3801 Walton spoke in opposition to SLU-11-92 and SLU-12-92, requests for special land use by Emanuel First Evangelical Lutheran Church.

Mary E. Keener of 1027 Seymour spoke in opposition to the two special land use requests by Emanuel First Evangelical Lutheran Church.

Christopher Shull of 1108 N. Walnut spoke in opposition to the two special land use requests by Emanuel First Evangelical Lutheran Church.

Oscar Hornbach, no address given, an attorney representing Charlotte Bauer, who lives one block from the two special land use requests, spoke in opposition to them.

Lloyd Teets of 116 E. Elm St. said that the resolution being passed on the Board of Ethics is not in the black book. He inquired as to why the Mayor is allowed to make recommendations for seating on this Board. This is a Council appointed Board. The Mayor is involved in the early retirement issue and should not be allowed to nominate candidates to sit on the Board. Stuart Dunnings, Jr. shares an office building with President Canady's father, he said. He thanked Councilmember Ford for speaking against this nomination and asked if this resolution replaces the City Clerk too?

Ann Smiley of 423 S. Grand, President of the Franklin St. Housing Cooperative spoke in opposition to the two special land use requests by Emanuel First Evangelical Lutheran Church.

Tod Belvin of 211 W. Maple spoke in opposition to the two special land use requests by Emanuel First Evangelical Lutheran Church.

Pastor John Vogt of 226 W. Kilborn, Co-Pastor of Emanuel First Evangelical Lutheran Church spoke in support of their two special land use requests.

Frank Curtis of 1137 W. Allegan spoke in support of the 7 Block Area Development Plan.

Gary Goolsby of 1114 N. Capitol spoke in opposition to the two special land use requests for Emanuel First Evangelical Lutheran Church.

Mary Jo Kerekes, no address given, spoke in opposition to the two special land use requests for Emanuel First Evangelical Lutheran Church.

Lee Shunk, Jr. of 601 Leslie St. spoke in opposition to the two special land use requests for Emanuel First Evangelical Lutheran

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Church.

M.L. Monk of 915 N. Capitol spoke in support of the two special land use requests for Emanuel First Evangelical Lutheran Church.

Melvin Jones, Pastor of Union Baptist Church of Lansing, spoke in support of the two special land use requests for Emanuel First Evangelical Lutheran Church.

Lynn O'Connor of 1101 N. Capitol spoke in opposition to the two special land use requests for Emanuel First Evangelical Lutheran Church.

Ammahad Shekarakki of 902 W. Willow spoke in opposition to the two special land use requests for Emanuel First Evangelical Lutheran Church.

Lynn Martinez of 417½ W. Kilborn, member of the Board of the Franklin St. Housing Cooperative, spoke in opposition to these two special land use requests for Emanuel First Evangelical Lutheran Church.

Julie Lott of 1107 N. Capitol spoke in opposition to the two special land use requests for Emanuel First Evangelical Lutheran Church.

Gladys Gillison of 223 W. Barnes spoke in opposition to the two special land use requests for Emanuel First Evangelical Lutheran Church.

Brian Jeffries, Attorney representing Emanuel First Evangelical Lutheran Church, spoke in support of their two special land use requests.

Richard Lott of 1107 N. Capitol, President of the N. Walnut Neighborhood Association, spoke in opposition to the two special land use requests for Emanuel First Evangelical Lutheran Church.

Paul Scott of 412 W. Kilborn spoke in support of the two special land use requests for Emanuel First Evangelical Lutheran Church.

John Meyer of 815 Coolidge, Architect for Emanuel First Evangelical Lutheran Church, spoke in support of their two special land use requests.

Alex Kruzel of 1027 Seymour spoke in opposition to the two special land use requests for Emanuel First Evangelical Lutheran Church.

Harold Leeman of 529 N. Francis reminded Council that one year ago today they passed the early retirement incentive. He asked if there was a late item submitted regarding a State Police Investigation into this issue? President Canady answered, no. He asked if the 1.2 million dollars for street improvements was related to the Combined Sewer Overflow project. Councilmember Brockwell told him that the City could save money by operating these two projects simultaneously. He suggested that the Seven Block Development Area project have a ward councilmember assigned to it.

Gary Andrews of 560 Brookland Blvd. asked Chief Assistant City Attorney, Melvin McWilliams, if it is a conflict of interest for Councilmembers who are being investigated by the Board of Ethics to vote on a resolution replacing the City Attorney on that board? Mr. McWilliams responded that these Councilmembers have never been notified that they are under investigation. Mr. Andrews asked why Mr. McWilliams cannot serve as the replacement for Mr. Knot, and Ms. Miner serve as the replacement for Ms. Slade. President Canady responded that they cannot replace the people who employ them for the purpose of this investigation.

Carol Shull of 1108 N. Capitol said she is a Charter Member of the Willow Pine area master plan. She spoke in opposition to the two special land use requests for Emanuel First Evangelical Lutheran Church.

Timothy P. McBride of 328 S. Magnolia spoke in opposition to the two special land use requests for Emanuel First Evangelical Lutheran Church.

Council President Canady declared a 5 minute recess.

Council recessed at 9:45 P.M. and reconvened at 9:50 P.M.

COMMUNICATIONS AND PETITIONS

By Councilmember Benavides

That Communications and Petitions be considered as read in full, and that the proper referrals be made by President Canady

Carried unanimously

A. Letter from Frances J. Ross of 635 Riley St. regarding speeding cars on Lyons Ave.

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD

B. SLU-06-93, N. of Cavanaugh and E. of Sycamore Creek, Approximately 100 acres, Special Land Use Petition filed by E. F. Solomon of 400 N. Grand River to allow for restoration of a sand pit

REFERRED TO THE MAYOR AND THE PLANNING BOARD

C. Letter from Former Mayor, Gerald Graves, of 1623 S. Genesee Drive requesting answers to questions raised in his March 3, 1993 letter to City Council, and, requesting information regarding Community and Promotion Accounts of Councilmembers

REFERRED TO THE MAYOR

EXECUTIVE ASSISTANT TO THE MAYOR COMMENTS

Mr. Boyd had no comments.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. **RESOLUTION #197**

April 12, 1993
President Canady and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

AUCTIONEER: James J. Korrey/Korrey's Auction Svc.
BUILDING WRECKER: G.L. DePue & Associates, Inc.
ICE CREAM PEDDLER: Teddy Bear's Ice Cream
PUBLIC DRIVER: Carlos Shields, Kevin D. Fish, Mark Richter,

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Charles A. Mitchell, Wade S. Goedert, Hector L. Hernandez, Dale Parham, Brian T. Campbell, Richard Hoyt, Ocie Albert, Ford Orlo Jones, Steven K. Buerger, Harold W. Halstead
SECOND HAND DEALER: Stephen John Shaver, Drake Clyde Serges, Dwight Albert Demitz (2 locations)
SIGN ERECTOR: Mid-Michigan Stamps & Signs, Inc., Douglas Sign Co., A & A Sign Inc.
VEHICLES FOR HIRE: K & D Towing, The Starter & Alternator Shop
WRECKER SERVICE: Bill's Heavy Duty Wrecker, Inc., Butch's Towing, Town & Country Shell

Sincerely,
Marilynn Slade, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of April 5, 1993 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the City Attorney regarding:

1/ March 23, 1993 Sentencing of Sam Usman

RECEIVED AND PLACED ON FILE

2/ Dale Arthur Wethy, Jr. v City of Lansing, Charles Reifsnyder as Chief of Police for the City of Lansing, Officers Kevin Moore, Peter Loepke, Raymond Hall, William Fabijancic, Jr., jointly and severally

RECEIVED AND PLACED ON FILE

D. Affidavit of Disclosure of Conflict of Interest from:

1. Chief Assistant City Attorney, Melvin S. McWilliams

REFERRED TO THE BOARD OF ETHICS

2. Deputy Director of Personnel Services, Susan Wager

REFERRED TO THE BOARD OF ETHICS

E. Letters from the Mayor re:

1/ ACT-08-92, Sparrow Hospital Request for Air Right Easement Across Michigan Avenue

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

2/ CDBG Final Statement of Objectives and Projected Use of Funds for FY 1993-94

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT AND THE COMMITTEE OF THE WHOLE

3/ Resolutions to set the Public Hearing for May 10, 1993 in consideration of:

-City of Lansing FY 1993-94 Operating and Capital Improvements Budget

-Community Development Block Grant Allocations Including Reprogrammed Funds from Previous Years

-City's Tax Rate, Including Millage Restoration under PA 5 of 1982, Truth in Taxation

REFERRED TO THE COMMITTEE OF THE WHOLE

RESOLUTION #198

THE COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred rezoning petition Z-11-92, filed by Emanuel First Lutheran Church, to rezone property at 1001 North Capitol from "J" Parking District to "C" Residential District,

REPORTS AS FOLLOWS: The rezoning petition is part of an overall proposal to expand the day care and elementary school operated by the church. Comments at the public hearing on this matter were evenly divided between supporters and opponents. The Committee Chair requested the Planning Division staff to seek alternate solutions to address concerns and comments regarding the rezoning and special land use permits requested. As a result, two meetings were held involving the staff, church representatives, and area residents, and an alternate proposal was developed that was approved by the Committee. The rezoning petition is recommended for passage, and the Committee further recommends approval of SLU-11-92 and SLU-12-92. The church has withdrawn SLU-13-92, which was a request for parking on the east side of Capitol Avenue. They have made a new proposal, which was approved by the Committee, for residential development, and which is explained in a resolution sponsored by the Committee as a late item for tonight's agenda. The Committee recommends that all of these items related to Emanuel First Lutheran Church be approved as presented. This report is for information only, and no Council action is required at this time.

Signed: Richard J. Lilly, Chair
Mark H. Canady
Lucile E. Belen

BY COUNCILMEMBER LILLY:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #199

THE COMMITTEE ON WAYS AND MEANS, to whom was referred the financial review of the Seven-Block Development Plan,

REPORTS AS FOLLOWS: The Committee has reviewed the basic financial plan for this development area. The Committee has been limited in this review due to the uncertainty regarding the impact of proposed property tax restructuring at the state level on current TIFA Districts and associated financial plans. The development of a final Financial Impact Statement was also limited by the lack of financial staff combined with the need to prepare a reorganization plan for the City, and then the development of the Fiscal Year 93-94 Budget.

Ultimately, prior to approving the Seven-Block Plan, the Committee needs to receive a Financial Impact Statement and Mayor's recommendation. In the Committee meeting held on April 7, 1993 the Committee was advised by Mr. Wilbur, Mayor's Staff, that it would be helpful if all pertinent concerns were delineated so that these concerns could be addressed by the Administration.

Accordingly, the balance of this report addresses those issues the Committee would like reviewed by the Mayor and appropriate staff. Section I includes considerations when developing the FIS. Section II speaks to actual implementation and monitoring of the

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

plan. The Committee requests that the issues delineated in Section II be presented in resolution form so that the Committee may review specific language.

SECTION I
1) If TIFA proceeds are not available is the plan still viable? If not, what alternative(s) does the Administration propose.

2) Based on the preliminary review there is some question as to the necessity of actually borrowing funds through the Section 108 Loan Program. Does the administration recommend utilizing Section 108 to fund this plan? If so, include a drawdown and repayment schedule.

3) A statement of sources and uses of funds for each year of the project. For each source of funds include the amount to be expended as a percentage of the available funds after staff and administrative costs are deducted.

4) A cash-flow projection for the life of the project.

SECTION II
1) Prior to making the actual commitment to borrow or draw down Section 108 Funds the Council would like to know, on an annual basis, how much will be borrowed and the repayment terms and conditions.

2) Prior to acquiring parcels of property for the purpose of placing or expanding commercial facilities in this area, the Committee believes that legally binding commitments with developers should be in place. These should include bonds for non-performance.

3) A review of the land exchange and related cash transactions associated with the church/triangle site, including any changes from the FIS, prior to executing the exchange.

4) A review process prior to accepting lease, transfer or sale of the existing Union Missionary Baptist Church site to any community non-profit organization, including review of City operational, maintenance, or repair costs for the facility or proposed linear park.

5) A review process for plan amendments, legal clarification, or deletion of plan language regarding funding of pedestrian overpass or pedestrian actuated traffic signals and funding for and legality of contractor bonding pools, rent controls, loan guarantees regarding interest rates, free exterior rehabilitation within the first six months, contractor selection and tax abatements.

7) A review process prior to acquiring property which exceeds 2.4 multiplied by State Equalized Valuation, inclusive of outstanding taxes and closing costs, but exclusive of appraisal and relocation costs. In addition, a review process prior to acquiring property through eminent domain.

8) A review process should it appear that expenditures from any source will exceed annual estimates in the FIS.

SIGNED: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

That the Report of Committee be approved.

April 12, 1993

RESOLUTION #200

THE COMMITTEE ON WAYS AND MEANS, to whom was referred the sole source purchases over $10,000 for the quarter ended December 31, 1992,

REPORTS AS FOLLOWS: This report was received pursuant to Section 206.05 (b) of the City Code of Ordinances. The Committee has reviewed these purchases, and the Council Staff report that all subject purchases were made in conformance with Section 206.05 of the City Code of Ordinances.

This report is informational and no Council action is required.

SIGNED: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

That the Report of Committee be received.

CARRIED UNANIMOUSLY

April 12, 1993.

RESOLUTION #201
THE COMMITTEE ON PUBLIC SERVICES, to whom was referred the letter of complaint regarding the condition of rental properties in the 200 block of N. Pennsylvania Avenue,

REPORTS AS FOLLOWS: The Committee discussed the concerns with the complainant, and with the owner of the above-mentioned properties. The Committee notes that this is the second time in the last year that these properties have been referred to the Public Services Committee.

Based on the history of these properties and on the testimony received in Committee, the Committee has requested that Building Safety Division monitor these properties on a weekly basis.

The Committee also requests that the Building Safety Division, The Law Department, and the Mayor's financial staff review the current fee charged for repeat violation notices sent within the same calendar year to determine if the current fees can be increased. If the fee can be increased, the Committee would also like to know if the fee structure for repeat trash violations can be set on an incremental basis as is currently done for repeat false alarms; for example, $50.00 for the first offense, $75.00 the second offense, $100.00 the third offense, etc.

April 12, 1993

By Councilmember Brockwell

Carried unanimously

RESOLUTIONS

RESOLUTION #202
4/8/93
COMMITTEE ON PHYSICAL DEVELOPMENT

SLU-11-92
1001 North Capitol Avenue, 1012, 1022-24 Seymour Street and 221 and 225 West Maple Street

WHEREAS Theodore Reuschel, representing Emanuel First Evangelical Lutheran Church and School, has requested approval of a special land use for the property located at 1001 North Capitol Avenue, 1022-1024 Seymour Street and 221 and 225 West Maple

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Street for the purpose of establishing a child care facility with a maximum capacity of 75 children. The property is more particularly described as:

Lots 3, 4, 5, 6, 7, 8, 9, 10 and 11 and 12 except for the eastern 41.25 feet thereof, Block 40, Original Plat, City of Lansing, Ingham County, Michigan;

and

WHEREAS the Planning Board of the City held a public hearing on this request at their August 5, 1992 meeting, at which time representatives from the church spoke on behalf of the request; the relocation of their existing child care facility currently in a structure at 1012 North Seymour for 23 children, into the church's educational wing and where many other individuals spoke of which a vast majority were opposed to the request; and

WHEREAS the Planning Board, at their November 17, 1992 meeting, recommended denial of the request by virtue of a failed motion to approve (2 yeas, 6 nays); and

WHEREAS the Lansing City Council on February 1, 1993 held a public hearing at which time 42 person spoke with about one-half in favor and one-half opposed; and

WHEREAS the Physical Development Committee of City Council, to whom was referred the report of the Planning Board, concurs therewith;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lansing hereby approves the special land use request for a relocated and expanded child care facility for the property at 1001 North Capitol Avenue.

In recommending approval of this request, the City Council considered the following information in addition to the public comments.

1. IS THE SPECIAL LAND USE DESIGNED, CONSTRUCTED, OPERATED AND MAINTAINED IN A MANNER HARMONIOUS WITH THE CHARACTER OF ADJACENT PROPERTY AND THE SURROUNDING USE?

The proposed child care facility will be housed within the educational wing of the church at 1001 North Capitol Avenue. The proposed play area for children is to be located directly west of and adjacent to the educational wing of the church. The area will be fenced and include both hard surface and grassy areas for play.

The only visible impact to the neighborhood would be the associated drop off traffic. The associated drop off traffic should be at most three times the traffic generated currently. Traffic generation information indicates an average number of trip ends for a day care facility to be a total of about five (5) per student per day. A trip end is equal to the arrival or departure of a vehicle. Therefore, if a child is dropped off and then the vehicle leaves the site, that is equivalent to two trip ends.

child care facilities typically have more children enrolled than the capacity since some children are morning or afternoon only. So this child care facility operating at capacity could generate 450 to 500 trip ends per day. Child care access is proposed to be off the Kilborn Street entrance. Therefore, traffic could approach the facility from many directions which tends to dissipate or spread out the impact of the traffic. An adverse impact is not anticipated.

2. WILL THE PROPOSED SPECIAL LAND USE CHANGE THE ESSENTIAL CHARACTER OF THE SURROUNDING PROPERTY?

The surrounding area is primarily residential in nature. This immediate neighborhood area is characterized by one and two family dwellings with several institutional uses, including Walnut Street School and Emanuel First Lutheran Church.

The child care facility fits well into the character of the area and does not pose a threat to the health of the area.

3. WILL THE PROPOSED SPECIAL LAND USE INTERFERE WITH THE GENERAL ENJOYMENT OF ADJACENT PROPERTY?

The child care facility itself should not adversely impact the adjacent properties.

4. WILL THE SPECIAL LAND USE REPRESENT AN IMPROVEMENT TO THE USE OR CHARACTER OF THE SUBJECT PROPERTY AND THE SURROUNDING AREA IN GENERAL, AND WILL THE USE BE IN KEEPING WITH THE NATURAL ENVIRONMENT OF THE LOT?

Child care facilities serve a valuable purpose in today's society for parents who require child care because of the necessity of employment for either both parents or the single parent. This weekday utilization of a community facility, which is typified by its weekend use, allows for more complete utilization of a valuable facility.

The child care facility itself should not pose a threat to the physical condition of the general area or the natural environment of the property.

5. WILL THE SPECIAL LAND USE BE HAZARDOUS TO ADJACENT PROPERTIES OR INVOLVE USES, ACTIVITIES, MATERIALS OR EQUIPMENT WHICH ARE DETRIMENTAL TO THE HEALTH, SAFETY OR WELFARE OF PERSONS OR PROPERTY THROUGH THE EXCESSIVE PRODUCTION OF TRAFFIC, NOISE, SMOKE, ODOR, FUMES OR GLARE?

Child care facilities do not typically involve uses, activities, materials or equipment detrimental to property or persons. The traffic generated by this size of facility was examined under item #1.

6. CAN THE SPECIAL LAND USE BE ADEQUATELY SERVED BY ESSENTIAL PUBLIC SERVICES AND FACILITIES, OR IS IT DEMONSTRATED THAT THE PERSON RESPONSIBLE FOR THE PROPOSED SPECIAL LAND USE IS ABLE TO CONTINUALLY PROVIDE ADEQUATELY FOR THE SERVICES AND FACILITIES DEEMED ESSENTIAL TO THE SPECIAL LAND USE UNDER CONSIDERATION?

A child care facility does not require above normal public services that is not already provided for in the area. There are some site plan considerations which are being proposed in conjunction with the child care facility, but these will be examined under plan review for SLU-12-92 and SLU-13-92. These concerns are with storm water detention, lot coverage and landscape, screening and buffering.

7. WILL THE SPECIAL LAND USE PLACE DEMANDS ON PUBLIC SERVICES IN EXCESS OF CURRENT CAPACITY?

As stated above, storm water detention will be required. Throughout the city storm water is required to be detained for new

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

paving or building projects. Since the overall plan lacks open green space that could be utilized for such a purpose, storm water will need to be retained in the parking lots. The child care facility will not place demands for public services and facilities in excess of current capacity.

8. IS THE SPECIAL LAND USE CONSISTENT WITH THE INTENT AND PURPOSE OF THE ZONING CODE AND THE OBJECTIVES OF THE CURRENT COMPREHENSIVE PLAN?

The child care facility use fits within the community facility category of land uses. The facility is proposed to be on church property that lies within this designation in the Willow Pine Amendment Plan, but parts of the overall development plan places parking for the facility onto residentially designated land see SLU-12-92 and SLU-13-92.

9. WILL THE SPECIAL LAND USE MEET THE DIMENSIONAL REQUIREMENTS OF THE DISTRICT IN WHICH THE PROPERTY IS LOCATED?

According to Section 1248.05(o) of the Zoning Code outdoor play space is required and is to be enclosed with at least a fence. For the anticipated 65 children 4,900 square feet of outdoor play space is required. For the possible maximum of 75 children 5,650 square feet is required.

Finally, approximately 12 parking spaces plus three (3) drop off spaces are required for the child care facility based upon the number of children and staff.

Parking and play area requirements will need to be met for the city to approve the facility at the anticipated or maximum number of children. To achieve this the proposed parking will need to be approved—see SLU-12-92 and the building design be modified to accommodate the additional play space. Otherwise the petitioner may need to seek dimensional variances from the Board of Zoning Appeals.

By Councilmember Beal

To send this resolution back to the Planning Board for their analysis

Following lengthy debate, the following motion was made by Councilmember Beal

By Councilmember Beal

To call the question to a vote

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

NAYS: None

By Councilmember Beal

To send this resolution back to the Planning Board for their analysis

Defeated by the Following Vote:

YEAS: Councilmembers Beal, Ford

NAYS: Councilmembers Belen, Benavides, Brockwell, Canady, Lilly, Schmidt

By Councilmember Lilly

To place an affirmative roll on the resolution

By Councilmember Belen

To call the question to a vote

Adopted by the following Vote:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Schmidt

NAYS: Councilmembers Ford, Lilly

By Councilmember Lilly

To place an affirmative roll on the resolutions for SLU-11-92, and SLU-12-92

Adopted by the following vote:

YEAS: Councilmembers Belen, Benavides, Brockwell, Canady, Lilly, Schmidt

NAYS: Councilmembers Beal and Ford

RESOLUTION #203
4/8/93
COMMITTEE ON PHYSICAL DEVELOPMENT
SLU-12-92
1012 and 1022-1024 Seymour Street and 221 and 225 West Maple Street

WHEREAS Theodore Reuschel, representing Emanuel First Evangelical Lutheran Church and School, has requested approval of a special land use for the property located at 1012 and 1022 1024 Seymour Street and 221 and 225 West Maple Street for the purpose of expanding an existing surface parking lot with 69 parking spaces and creating green space for play area on property more particularly described as:

The north 15 feet of Lot 8, 9 and Lot 10 except for the eastern 100 feet thereof; Lots 11 and 12 except for the eastern 41.25 feet thereof, Block 40, Original Plat, City of Lansing, Ingham County, Michigan;

and

WHEREAS the Planning Board of the City held a public hearing on this request at their August 5, 1992 meeting, at which time representatives from the church spoke on behalf of the request, and many other individuals spoke, of which a vast majority were opposed to the request; and

WHEREAS the Planning Board, at their November 17, 1992 meeting, recommended denial of the request by virtue of a failed motion to approve (2 yeas, 6 nays); and

WHEREAS the Lansing City Council on February 1, 1993 held a public hearing on this matter at which approximately 42 persons spoke, with about one-half in favor and one-half opposed; and

WHEREAS the Physical Development Committee of City Council, to whom was referred the report of the Planning Board, recommends approval of the special land use permit with conditions,

NOW THEREFORE, BE IT RESOLVED that the Council of the City of Lansing hereby approve the special land use request for an expanded surface parking lot for the property at 1012 and 1022-24 North Seymour Street with appropriate landscape screening and buffering.

BE IT FURTHER RESOLVED that the following described properties, which are generally known as 221 and 225 West Maple Street, and more particularly described as:

West 115 feet Lot 12, Block 40, Original Plat, City of Lansing, Ingham County, Michigan.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

be retained in single family residential use for thirty years.

BE IT FINALLY RESOLVED that the church attempt to save the residential structures at 1022/1024 Seymour Street, 221 and 225 West Maple Street by offering these structures to a nonprofit housing corporation so they may be moved in a timely fashion to other appropriate residential locations in the neighborhood and that an existing single family dwelling be established on this site to protect the residential integrity of the block face along Maple. The single family residential use will be maintained for a minimum of thirty years. In establishing this residential use and lot, a small portion at the east end of the lot will be divided to the adjacent property at 217 West Maple Street to accommodate a driveway of appropriate width. It is understood that the structures will be removed so as not to delay the school expansion.

In recommending approval of this request, the City Council considered the following information in addition to the public comments:

1. IS THE SPECIAL LAND USE DESIGNED, CONSTRUCTED, OPERATED AND MAINTAINED IN A MANNER HARMONIOUS WITH THE CHARACTER OF ADJACENT PROPERTY AND THE SURROUNDING USE?

The northern portion of the proposed parking lot would be constructed over property presently known as 1022 and 1024 Seymour Street. It is designed in such a way as to maximize the parking within the property boundaries while providing a fenced and landscaped edge for buffering.

A petition has been filed with the Board of Zoning Appeals to allow the parking to be constructed into the front yard setback as designed. The parking lot will be used both for parking primarily on Sundays and for recreation by students during the week, thus serving a dual use.

Construction of parking at the northern end of this lot would intrude into the residential character of the adjacent properties that front the 200 and 300 blocks of West Maple Street as well as the northern portion of the 1000 block of Seymour Street. The design may also infringe upon a joint driveway with the residence at 217 West Maple Street.

The southern portion of the lot is proposed in the lot area of 1012 North Seymour, which currently is being used for the child care facility that is proposed to be relocated into the church building. Adjacent to this portion of the lot is the Walnut Street School to the west and the parsonages for the church's pastors to the south.

Based upon the orientation of the parking lot, the northern portion would not be harmonious with the character of the adjacent residential area, but the southern portion would adequately fit its more institutional context. The recent substitute proposal would establish single family residential use at this intersection that would be in character with the adjacent uses.

2. WILL THE PROPOSED SPECIAL LAND USE CHANGE THE ESSENTIAL CHARACTER OF THE SURROUNDING PROPERTY?

The new proposal, where 1022-1024 North Seymour Street and 221-225 West Maple Street currently stand, would not change the residential character of the Maple/Seymour intersection. The southern portion of the proposed lot, where 1012 North Seymour Street stands, would not alter the more institutional character of this portion of the block.

3. WILL THE PROPOSED SPECIAL LAND USE INTERFERE WITH THE GENERAL ENJOYMENT OF ADJACENT PROPERTY?

The substitute proposal will provide residential use at the intersection of Maple and Seymour Streets. The buffer that is provided would adequately soften the intensity of the parking. Also, the design of the residential portion of the lot will deed a small section at the east end to eliminate the joint driveway between 221 and 217 West Maple Street.

4. WILL THE SPECIAL LAND USE REPRESENT AN IMPROVEMENT TO THE USE OR CHARACTER OF THE SUBJECT PROPERTY AND THE SURROUNDING AREA IN GENERAL, AND WILL THE USE BE IN KEEPING WITH THE NATURAL ENVIRONMENT OF THE LOT?

The residential use is in character with the currently residential properties on the northern end. The southern end of the lot represents a change in character for the property itself but not for the surroundings. The surroundings are already more institutional in character. The portion of the lot that is already used for parking is proposed to be improved by removing the asphalt from the right-of way (between the sidewalk and the property line) and providing an additional buffer strip.

These factors would indicate that the proposed residential use and parking lot on the site represents an improvement to the character of the property and is in keeping with the natural environment. The remainder of the parking lot does not adversely affect the character or environment of the property.

5. WILL THE SPECIAL LAND USE BE HAZARDOUS TO ADJACENT PROPERTIES OR INVOLVE USES, ACTIVITIES, MATERIALS OR EQUIPMENT WHICH ARE DETRIMENTAL TO THE HEALTH, SAFETY OR WELFARE OF PERSONS OR PROPERTY THROUGH THE EXCESSIVE PRODUCTION OF TRAFFIC, NOISE, SMOKE, ODOR, FUMES OR GLARE?

The parking lot proposed is not large enough to be "hazardous" to persons or adjacent properties through the excessive production of traffic, noise, smoke, odor, fumes or glare but will result in some change in the pattern of traffic by its use for parking and some noise by its use as a recreational area during the school day. The properties used as a parking lot should not result in an increase of traffic.

6. CAN THE SPECIAL LAND USE BE ADEQUATELY SERVED BY ESSENTIAL PUBLIC SERVICES AND FACILITIES, OR IS IT DEMONSTRATED THAT THE PERSON RESPONSIBLE FOR THE PROPOSED SPECIAL LAND USE IS ABLE TO CONTINUALLY PROVIDE ADEQUATELY FOR THE SERVICES AND FACILITIES DEEMED ESSENTIAL TO THE SPECIAL LAND USE UNDER CONSIDERATION?

The church and school facility has been well cared for over the years, which has provided for a positive stabilizing effect for the neighborhood. This type of care is expected to continue. As far as public utilities are concerned, the proposed parking lot use will be required to meet the current standards for storm water detention, but otherwise essential public services are available.

7. WILL THE SPECIAL LAND USE PLACE DEMANDS ON PUBLIC SERVICES IN EXCESS OF CURRENT CAPACITY?

The proposed parking lot, designed to meet the storm water runoff requirements, is not expected to place demands on public services

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

in excess of current capacity.

8. IS THE SPECIAL LAND USE CONSISTENT WITH THE INTENT AND PURPOSE OF THE ZONING CODE AND THE OBJECTIVES OF THE CURRENT COMPREHENSIVE PLAN?

The Willow/Pine Amendment to the River Island Comprehensive Plan designates the land north of the existing parking lot for residential uses. These policies are:

"Residential blockfaces on both sides of the street should be encouraged."

"Encroachment of off-street parking lots (into residentially designated areas) should be discouraged."

"Housing should be maintained and upgraded as alternative to removal."

By constructing the lot as designed under the substitute proposal, it would conflict with these policies.

9. WILL THE SPECIAL LAND USE MEET THE DIMENSIONAL REQUIREMENTS OF THE DISTRICT IN WHICH THE PROPERTY IS LOCATED?

The setback of the parking surface does not meet the prohibition on front yard parking. this is being appealed to the Board of Zoning Appeals. Any landscaping issues can be resolved through site plan review if the special land use is approved.

The revised plan illustrates parking only on a portion of the property illustrated in the original plan. A total of 69 parking spaces are illustrated on the property occupied by 1012 North Seymour Street, 1022-24 North Seymour Street, the south 45 feet of 221 West Maple Street and the west 135 feet of the existing parking lot.

The overall land use benefit is derived with the investment in the longstanding institution which serves the community and serves as an identity to neighborhood in addition to the Walnut Street School. Most if not all residential strutures can be saved and relocated in the neigborhood.

If approved, the site plan appears to accommodate the functions of the church and school within the block bounded by Seymour, Kilborn Capitol and Maple Streets. As such, there does not appear to be an overwhelming need to go off site; i.e., across Capitol Avenue (SLU-13-92) to fulfill other land use goals for the church's educational facility. By containing the facility within a portion of the single block, it reduces the opportunities and need to spread across the physical boundaries of streets.

By Councilmember Lilly

Adopted by the following vote:

YEAS: Councilmembers Belen, Benavides, Brockwell, Canady, Lilly, Schmidt

NAYS: Councilmembers Beal, Ford

RESOLUTION #204
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, River Woods Limited Dividend Housing Association has made a donation of an Easement for the River Trail to the City of Lansing; and

WHEREAS, the City's Park and Recreation Director has reviewed the easement with the City's Real Estate Broker and they recommend that the City accept this Easement involving the property described as:

That part of Lot 4, Brisbin Park, a Subdivision of apart of the Southwest ¼ of Section 4, T4N R2W and the Northwest ¼ of Section 9, T4N R2W, City of Lansing, Ingham County, Michigan, which lies Southerly of a line commencing at a point 630 feet more or less South of the Northeast corner of said Lot 4, thence Northwesterly 700 feet more or less to a point of ending on the West line of Lot 4, 260 feet more or less South of the Northwest corner thereof, this line being approximately the same line as that shown on the Plat as "Flood Plain Contour."

WHEREAS, the City's Park Board concurs with this recommendation of accepting this easement for the River Trail;

NOW, THEREFORE, BE IT RESOLVED that the City of Lansing hereby accepts the property Easement as described above for the River Trail, after approval as to form by the City Attorney.

BE IT FURTHER RESOLVED that the administration prepare the appropriate documents and the City Clerk record the Easement with the Ingham County Register of Deeds and the City Assessor provide a statement of value and tax credit to the River Woods Limited Dividend Housing Association.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #205
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 1030 E. Kalamazoo Street, legally described as:

3301 15 376 301
E 33 ft., Lot 11, Block 2, Lansing Improvement Company's Add

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on June 25, 1992, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on August 10, 1992, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

WHEREAS, the owner of this property, having been duly notified, did not attend the Public Services Committee meeting; and

WHEREAS, Building Safety informed the Committee that this is the second time that this structure has been submitted for make safe

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

or demolish; and

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution, April 12, 1993; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or other-wise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #206
BY THE COMMITTEE ON WAYS & MEANS AND THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor's FY 93-94 budget recommendations include appropriation of $1,200,000 within the Capital Projects Fund for repairs to local streets, as part of an estimated $2,700,000 local street repair program; and

WHEREAS, the City has extensive local street repair needs resulting from the deferral of maintenance activities due to lack of available funding in previous years; and

WHEREAS, the appropriation of available capital projects funding, together with available balances in the Act 51 Local Streets Fund, and in conjunction with ongoing combined sewer overflow abatement and additional appropriations from the General Fund, will allow the City to begin to address deferred local street maintenance needs; and

WHEREAS, appropriation of Capital Projects funding in advance of adoption of the FY 93-94 Budget will permit bidding of projects and expenditure of funds during the summer 1993 construction season, avoiding further deferral of needed maintenance;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby separates the Mayor's recommendation to appropriate $1,200,000 within the Capital Projects Fund for local street maintenance needs from the FY 1993-94 Budget recommendations; and

BE IT FURTHER RESOLVED this Council approves the Mayor's recommendation to immediately appropriate $1,200,000 from Capital Projects Fund—Fund Balance for use to repair local streets in the summer 1993 construction season.

By Councilmember Benavides

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly

NAYS: Councilmember Schmidt

RESOLUTION #207
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the financial consideration for the 7 Block Development Plan has been referred to the Committee on Ways and Means; and

WHEREAS, the Committee has spent the last four weeks reviewing various aspects of the plan; and

WHEREAS, due to the uncertainty regarding the future of existing TIFA Districts and Associated Financial Plans currently under consideration by the State a complete financial review can not be completed; and

WHEREAS, due to Federal deadlines it is necessary to present the concept of the 7 Block Development Plan to the Department of Housing and Urban Development for the purpose of receiving feedback on the proposed 7 Block Development Plan and Section 108 Loan application; and

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the concept of the 7 Block Development Plan pending receipt of the 7 Block Financial Impact Statement from the Administration; and

BE IT FINALLY RESOLVED that this Resolution shall not bind the Lansing City Council to the 7 Block Development Plan as presented in the event anticipated financing sources are not available.

April 12, 1993

By Councilmember Benavides

Carried unanimously

Item XII E-1., Amendments to the Proposed Rules of Procedure of the Board of Ethics, was pulled from the agenda at the request of Councilmember Brockwell.

Item XII E-2., Labor Contract Agreement-UAW Local 2256, was pulled from the agenda at the request of Councilmember Brockwell.

RESOLUTION #208
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Christopher Jenkins, a senior at Lansing Catholic Central High School, was recently honored by the Black Child and Family Institute for his academic achievements as a Finalist in the

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

National Achievement Scholarship Competition; and

WHEREAS, of the 90,000 African American students who began the competition, Christopher is one of only 1,300 who advanced to become Finalists in this privately-financed scholarship program; and

WHEREAS, Christopher's outstanding academic record at Catholic Central, a strong recommendation from his principal, and his high scores on the Scholastic Aptitude Test were the primary factors in his being named a Finalist;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 12th day of April, 1993, hereby commends and congratulates Christopher Jenkins on his selection as a Finalist in the National Achievement Scholarship Program for Outstanding Negro Students; and

BE IT FURTHER RESOLVED each Member of Council wishes Christopher continued success in his academic endeavors. By Councilmember Schmidt

Carried unanimously

RESOLUTION #209
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Anthony Estell, a senior at Lansing J. W. Sexton High School, was recently honored by the Black Child and Family Institute for his academic achievements as a Finalist in the National Achievement Scholarship Competition; and

WHEREAS, of the 90,000 African American students who began the competition, Anthony is one of only 1,300 who advanced to become Finalists in this privately-financed scholarship program; and

WHEREAS, Anthony's outstanding academic record at Sexton, a strong recommendation from his principal, and his high scores on the Scholastic Aptitude Test were the primary factors in his being named a Finalist;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 12th day of April, 1993, hereby commends and congratulates Anthony Estell on his selection as a Finalist in the National Achievement Scholarship Program for Outstanding Negro Students; and

BE IT FURTHER RESOLVED each Member of Council wishes Anthony continued success in his academic endeavors.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #210
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Shayla Harris, a senior at Lansing J. W. Sexton High School, was recently honored by the Black Child and Family Institute for her academic achievements as a Finalist in the National Achievement Scholarship Competition; and

WHEREAS, of the 90,000 African American students who began the competition, Shayla is one of only 1,300 who advanced to become Finalists in this privately-financed scholarship program; and

WHEREAS, Shayla's outstanding academic record at Sexton, a strong recommendation from her principal, and her high scores on the Scholastic Aptitude Test were the primary factors in her being named a Finalist;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 12th day of April, 1993, hereby commends and congratulates Shayla Harris on her selection as a Finalist in the National Achievement Scholarship Program for Outstanding Negro Students; and

BE IT FURTHER RESOLVED each Member of Council wishes Shayla continued success in her academic endeavors.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #211
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Cayenne Mandua, a senior at Lansing J. W. Sexton High School, was recently honored by the Black Child and Family Institute for his academic achievements as a Finalist in the National Achievement Scholarship Competition; and

WHEREAS, of the 90,000 African American students who began the competition, Cayenne is one of only 1,300 who advanced to become Finalists in this privately-financed scholarship program; and

WHEREAS, Cayenne,s outstanding academic record at Sexton, a strong recommendation from his principal, and his high scores on the Scholastic Aptitude Test were the primary factors in his being named a Finalist;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 12th day of April, 1993, hereby commends and congratulates Cayenne Mandua on his selection as a Finalist in the National Achievement Scholarship Program for Outstanding Negro Students; and

BE IT FURTHER RESOLVED each Member of Council wishes Cayenne continued success in his academic endeavors.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #212
BY COUNCILMEMBER LILLY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Nikki Keyton enjoyed a spectacular basketball career at Lansing Eastern High School until her graduation in June 1989; and

WHEREAS, Nikki chose to attend Ohio State University, where she continued to demonstrate her prowess in roundball, leading the Buckeyes to the 1993 NCAA Women's Final Four; and

WHEREAS, Nikki was the star with the red bow in her hair in the semi-final game against Iowa, helping clinch an upset overtime victory with key baskets down the stretch; and

WHEREAS, the Buckeyes had less than one day's rest before the NCAA championship game against Texas Tech, and despite Nikki's contribution of 19 points, she and her teammates fell to the

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Lady Raiders, led by Sheryl Swoopes, by a two-point margin, 84-82;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby commends and congratulates Nikki Keyton for her outstanding performance in the 1993 NCAA Women's Basketball Tournament, as well as her entire basketball career at Lansing Eastern High School and Ohio State University; and

BE IT FURTHER RESOLVED each Member of Council recognizes Nikki's athletic accomplishments as part of the long and proud tradition of the Keyton family.

April 12, 1993

By Councilmember Lilly

Carried unanimously

RESOLUTION #213
4/8/93
Disposition of Structure at 1026 North Capitol Avenue

WHEREAS, in conjunction with the requests for the school and day care expansion of Emanuel First Lutheran Church contained in SLU-11-92, SLU-12-92, and Z-11-92; the church did initially request a parking lot expansion on the east side of North Capitol Avenue which has subsequently been withdrawn; and

WHEREAS, the church, in attempting to assure a continued residential blockface along Capitol Avenue, is now instead proposing to build a new single-family dwelling to be used as a parsonage; and

WHEREAS, there is an existing house on the site (1026 North Capitol) which the church will offer to the nonprofit housing corporation to be moved in a timely manner to another residential lot within the neighborhood; and

WHEREAS, the Willow-Pine Plan recommends a continued residential blockface; and

WIIEREAS, the Committee on Physical Development wishes to promote compliance with the Master Plan and its intent to encourage new and continued residential development

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council concur with the report of the Physical Development Committee on the potential disposition of 1026 North Capitol and the intent to promote continued residential development according to the Master Plan.

By Councilmember Lilly

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Lilly, Schmidt

NAYS: Councilmember Ford

RESOLUTION #214
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, this Council has already approved a request from the Board of Ethics to appoint a temporary member for the purpose of conducting the Board's investigation into allegations against the City Attorney by Bernie Meissner; and

WHEREAS, the Mayor has advised that Stuart Dunnings, Jr., has volunteered to serve on the Board of Ethics for the purpose of said investigation; and

WHEREAS, during discussion of this possible appointment by the Committee of the Whole, it was obvious that Mr. Dunnings is well-known to this Council and throughout our community as an outstanding attorney and concerned citizen who will provide tremendous assistance to the Board of Ethics;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby appoints Stuart Dunnings, Jr., to the Board of Ethics as a temporary replacement for City Attorney Alvan Knot for the purpose of investigating the early retirement issue.

April 12, 1993

By Councilmember Belen

To place an affirmative roll on the resolution

Following lengthy debate, the following motion was made by Councilmember Belen

By Councilmember Belen

To call the question to a vote

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

NAYS: None

By Councilmember Belen

To place an affirmative roll on the resolution

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

NAYS: None

RESOLUTION #215
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Walnut Street Elementary School Parent-Teacher Association, the Lansing School District, and Michigan National Bank have been winners of the 1993 Michigan PTA Education Partnership Award; and

WHEREAS, this award, which will be presented at the Michigan PTA's annual convention in Dearborn on May 2, recognizes the public/private partnership that has the bank sending about 85 volunteers to Walnut School each month for classroom and after-school assistance, as well as sponsorship of several incentive programs to promote academic excellence; and

WHEREAS, involvement in this partnership started at the top of the participating organizations, including Michigan National Bank Corporation Executive Vice President Charles W. Kight, PTA President Mary Jo Kerekes, Superintendent of Schools Dr. Richard Halik; and

WHEREAS, the bank has assigned Sharon O'Leary-Johnson as coordinator and Michelle Halm as staff member to recruit volunteers and keep track of school tasks;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council,

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

sitting in regular session this 12th day of April, 1993, hereby recognizes the Walnut PTA, the Lansing School District, and Michigan National Bank for their outstanding efforts in a very successful working partnership on behalf of the children of our community.

By Councilmember Ford

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

BY COUNCILMEMBER LILLY:

That we move to passage of ordinances.

BY COUNCILMEMBER LILLY:

That Ordinances, when read, be considered as being read in their entirety.

BY COUNCILMEMBER LILLY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-11-92, 1001 N. Capitol Ave. from "J" Parking District to "C" Residential District be placed on order of immediate passage.

BY COUNCILMEMBER LILLY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-11-92, 1001 N. Capitol Ave. from "J" Parking District to "C" Residential District be now passed.

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

NAYS: None

ABSENT: None

ORDINANCE #2357

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-11-92, 1001 North Capitol Avenue

Parcel Number: #3301-09-333-041

Legal Description: Lot 10 and the north 44 feet of Lot 9, Block 40, Original Plat, City of Lansing, Ingham County, Michigan

From "J" Parking District to "C" Residential District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

MARILYNN SLADE, CITY CLERK

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Brockwell, a Committee Report from the Committee on Public Services regarding property located at 200 N. Pennsylvania

HANDLED AS RESOLUTION #201

2/ From Councilmember Brockwell, a request that Items numbered as XII E-1 and XII E-2 be pulled from tonight's agenda

ITEM XII E-1, AMENDMENTS TO PROPOSED RULES OF THE BOARD OF ETHICS, AND ITEM XII E-2, LABOR CONTRACT AGREEMENT-UAW LOCAL 2256, WERE PULLED FROM THE AGENDA PER COUNCILMEMBER BROCKWELL'S REQUEST

3/ From Councilmember Brockwell, a report from the Elected Officers Compensation Commission regarding their findings

REFERRED TO THE COMMITTEE OF THE WHOLE

4/ From Councilmember Lilly, a Resolution regarding the disposition of a structure at 1026 N. Capitol Ave. by Emanuel First Evangelical Lutheran Church

HANDLED AS RESOLUTION #213

5/ From Councilmember Belen, a resolution appointing Stuart Dunnings, Jr. to the Board of Ethics to serve as a replacement for City Attorney Al Knot for the purpose of consideration of the Early Retirement issue

HANDLED AS RESOLUTION #214

6/ From Councilmember Ford, a resolution of Tribute to Walnut Street School PTA, Walnut Street School, and Michigan National Bank for their partnership project, and a request to present the Resolution during Special Ceremonies

HANDLED AS RESOLUTION #215

7/ From Councilmember Ford, a request that Special Ceremonies be moved up to take place prior to Public Comment

THE REULES WERE SUSPENDED AND SPECIAL CEREMONIES WERE HELD PRIOR TO THE PUBLIC COMMENT PORTION OF THE AGENDA

MAYOR'S EXECUTIVE ASSISTANT'S COMMENTS

Mr. Boyd announced that beginning April 19, 1993, the City of Lansing Recycling Program will begin accepting magazines and aluminum foil products for collection. He asked that everyone submitting these items for collection tie them separately, and flatten them. Informational brochures will be available next Monday, explaining how to process these items. He informed Council that Jessica Washington and her Mother, chosen by President Clinton to ride in his inaugural parade, and recipients of a City Council Resolution of Tribute on January 11, 1993, are pictured in the March 1993 issue of Ebony Magazine.

COUNCILMEMBER'S COMMENTS

Councilmember Belen requested that she be excused from the meeting. President Canady excused Councilmember Belen from

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

the meeting at 11:50 P.M.

Councilmember Schmidt reported that the City is desperately in need of School Crossing Guards. Applicants must possess a valid drivers license, dependable transportation, and a home telephone. The positions pay $5.00 per hour. Interested parties can contact the Personnel Department at 483-4004. She asked Mayor Crawford to have the Public Service Department put fresh gravel at the intersection of Washington Ave. and Greenlawn by Washington Park.

Councilmember Ford announced that he would not be able to attend the joint meeting between City Council and the Lansing School Board. Councilmember Brockwell will attend and report for him about getting athletics back into middle schools. The cost of operating a team is approximately $4,000 per team. About $2,000 of this is for coaching staff salaries. The use of volunteer coaching staff can reduce the cost of operating a team to about $2,000. He requested that the Committee of the Whole meeting this Thursday, April 15, 1993 be taped.

Council President Canady announced that Budget hearings start this Thursday at 4:00 at the Committee of the Whole meeting. They will continue on Saturday, April 17, Saturday, April 24, and wrap-up will be held Saturday, May 1, 1993. The Public Hearing will be on Monday, May 10, 1993 and adoption on May 17, 1993.

PUBLIC COMMENTS

Gary Andrews of 560 Brookland Blvd. thanked Councilmember Schmidt for advocating the renovation of streets in his neighborhood. He stated his belief that Councilmember Brockwell is in a conflict of interest situation on his vote regarding the appointment of Stuart Dunnings to the Ethics Board tonight.

Frank Curtis of 1137 W. Allegan demanded reparation for the black man. He said the great white american is getting ready to violate his constitutional rights. Black men have families to protect and hungry mouths to feed too.

Ed Thomas of 2911 Cooley Drive said he objects to attorneys and florists sitting on Council. He asked what the remaining Councilmembers do for a living. After working for General Motors for thirty years, he will receive less than 1/2 of the retirement that Mayor McKane will get. He accused Councilmember Brockwell of discouraging a candidate for running for a Council seat because of the cost of campaigning. He asked for information regarding how much every Councilmember spent on their last campaign. Why was the Civic Center sold to the lowest bidder? Councilmember Ford responded that he voted for the early retirement because he did not want 80 people to be laid off. He made a motion to table the early retirement resolution, but his motion failed. He spent $20,000 on his last campaign, $4,000 of which was his own money.

Tim Lewis of 500 S. Pine complained about Councilmembers using public comment time to answer questions from the public. He said that Council pulled the resolutions for SLU-11-92 and SLU-12-92 during suspension of the rules at the beginning of the meeting and it was improper for them to later act on these resolutions. He asked for a full scale, grand jury investigation of the early retirement issue.

Gerald Graves of 1623 S. Genesee Drive accused Councilmember Ford of violating his civil rights. At the March 25, 1993 Committee of the Whole meeting Councilmember Ford advised members of Council that the letter he (Graves) had written was not in front of them and, if they made a statement regarding his letter, it could jeopardize the City's position in the Early Retirement lawsuit. He inquired as to the amount of Councilmember Ford's expenditures from his office holder's account in 1991 and 1992. Councilmember Ford responded that he uses his promotional account to support youth and community activities. He acknowledged advising Councilmembers in the March 25, 1993 Committee of the Whole meeting that all Mr. Graves comments were squarely in court.

Reverend Larry Nichols of 2618 S. Waverly commented on charges recently brought against Lansing Police Officers. He read from a recent edition of Lansing Policeman's letter regarding the motivation for this investigation. Councilmember Ford's committee was to look into this matter. Councilmember Ford said he cannot get information about this case because it is still in court. There is a lot of information that is not yet available to him because of this. However, whatever information he can get, he will look closely at.

Lloyd Teets of 116 E. Elm St. complained about Council using public comment time to make their own statements. He questioned Council on the possible replacement of City Clerk, Marilynn Slade on the Board of Ethics. He criticized the elimination of the Chief Deputy's position in the City Clerk's office. He accused Councilmember Lilly of making his decision on the Emanuel First Evangelical Lutheran Church issue before he had the facts.

J.B. Smith of 2410 W. Willow, said he is the brother of Lansing Police Sergeant Clyde Smith. His brother, he said, was suspended because of charges contained in an anonymous letter that was written by someone within the Lansing Police Department. For many years his brother has been a very good officer, favored in his department. Now he has a boss who wants to ridicule him and take the word of an anonymous letter writer. This is not fair and this issue is not going to go away for Council. They will have someone here every Monday night speaking out against this.

Vivian Bloom of 227 S. Eighth St. requested an investigation of the Building Department. She has had difficulty getting answers from the mechanical inspectors. They would only tell her that her building was not up to code. They refused to say why. She believes they were trying to protect the trades and force her to hire a plumber and electrician. This should have been handled the same way the structural inspection was handled. That inspector gave her a list of corrections that needed to be made.

Harold Leeman of 529 N. Francis asked if retired employees were being hired back to work through temporary help agencies, and where they are presently working in City Hall. This is against City policy. President Canady said that this is the second time he has heard this allegation. He has not had a chance to investigate it yet. Councilmember Ford said he hopes these allegations are being investigated. He wants to know if they're true, and who these people are. We have an ordinance that would require that any retiree who is rehired must suspend the payment of their retirement benefits. President Canady promised that he would have an answer to these charges next week.

Tim McBride of 328 S. Magnolia asked why you have to have your own transportation to get a School Crossing Guard's job. He supports Councilmember Ford's idea of reinstating sports in middle schools.

M.L. Monk of 915 N. Capitol said that government employees are the first people to be the target of attacks. He thanked Councilmember Brockwell for being so concerned about the Emanuel First

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Evangelical Lutheran Church issue. He thanked Eleanor Love for conducting the hearings in a very professional manner. He thanked Council for being attentive to the public. They take criticism week after week that they do not deserve.

ADJOURNED

MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, April 19, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
April 19, 1993

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Canady

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Lilly, Schmidt

ABSENT: Councilmember Ford

The Invocation and Pledge of Allegiance were lead by Councilmember Lilly

CONSIDERATION OF LATE ITEMS

By Councilmember Beal

To accept the following under suspension of the rules:

1/ From Councilmember Beal; a letter from the Eastside Neighborhood Organization regarding the Building and Safety Department

2/ From Councilmember Schmidt; a Resolution of Tribute to the late Carl Evanoff, Ingham County Commissioner

3/ From Councilmember Benavides; a request from the Association of Junior Athletes that they be recognized with Non-Profit Status

4/ From Councilmember Benavides; a request that he be allowed to present Certificates of Recognition to five visiting students from our Sister City Guadalajara, Mexico during the Special Ceremonies Portion of the Agenda

5/ From Councilmember Benavides; a letter from Thomas G. Walsh, Attorney, Chairman of the City Charter Commission, regarding the intent of the Commission in the development of the City Charter

6/ From Councilmember Brockwell; a letter from Mayor Crawford submitting a resolution for a Construction Alternative for Shiawassee Street Bridge

7/ From Councilmember Brockwell; a letter from Mayor Crawford submitting a request from the Public Service Department for Change of Intent

8/ From Councilmember Belen; a letter from Hamco Management regarding commercial property on Spikes Lane

9/ From Councilmember Brockwell; a request that Special Ceremonies be moved up to be held immediately following Suspension of the Rules

Carried unanimously

SPECIAL CEREMONIES

A. Mayor Crawford presented Distinguished Student Leadership Awards from the University of Michigan to four local high school students. Doctor Richard Halik and Doctor Clyde Carnagie from the Lansing School District were on hand to honor their students and to thank Cleophus Boyd, Mayor Crawford, President Canady, City Council and the University of Michigan for awarding and presenting these medals.

B. Councilmember Benavides presented Certificates of Recognition to seven exchange students visiting from our Sister City, Guadalajara, Mexico. Pat Brionnes, Coordinator of this project, thanked Council and said the host families are happy to have the students staying with them. She thanked Doctor Halik for making this program possible. They hope to have the program around for many years. Mayor Crawford welcomed all of the visiting students and wished them a pleasant stay.

SCHEDULED PUBLIC HEARINGS

There are no Scheduled Public Hearings

PUBLIC COMMENT

Lloyd Teets of 116 E. Elm said that the schedule for budget hearings indicates that City Council must cover a lot of territory in a very short period of time. He complimented Council for soliciting the opinion of Thomas Walsh, Chairman of the Charter Commission, regarding whether or not the City Attorney and the City Clerk should be voting members on the Board of Ethics.

Harold Leeman of 529 N. Francis said that, if Councilmembers are saving the City money by not accepting salary increases or insurance benefits, they should be recognized for it. He noted that three Councilmembers have the heaviest committee assignments. This should be evened out more. He suggested that, rather than accepting an increase in pay, Councilmembers vote to include the amount allotted to them in their Community/Promotion account in their salaries so that they can spend it any way they want to.

Russell Greear of 3801 Walton Dr. said he does not believe Councilmembers deserve a pay increase.

Mary Ann Prince of 2116 Ferrol, a candidate for the Mayor's Office, said she thinks that elected officers deserve a pay increase.

COMMUNICATIONS AND PETITIONS

That Communications and Petitions be considered as read in full and that President Canady make the proper referrals

Carried unanimously

A. Letter from Citizens for a Better Lansing proposing a Park Clean-up Project

REFERRED TO THE MAYOR

B. Letter from Concerned Citizens to Save Lansing regarding the Early Retirement plan

REFERRED TO THE MAYOR

C. SLU-07-93, 1017 E. Oakland, Special Land Use Request from Lansing Teen Challenge for the purpose of developing a

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Residential Care Facility to house 7 men

REFERRED TO THE MAYOR AND THE PLANNING BOARD

D. Petition for Curb & Gutter and necessary drainage facilities on Richard Road signed by 7 residents on Richard Road

REFERRED TO THE MAYOR

E. Notice from the Michigan Department of Natural Resources of Permit #936028 issued to the City of Lansing for Construction-Alteration-Addition or Improvement to a Sewerage System for the Lansing Avenue Pump Station Forcemain

REFERRED TO THE MAYOR

F. Claim from Attorney's on behalf of their client, Elaine Thelen

REFERRED TO THE CITY ATTORNEY

G. Letter from Frances Tyler of 453 E. Edgewood, Apt. C regarding behavior of Councilmembers at City Council meetings

RECEIVED AND PLACED ON FILE

MAYOR MAY COMMENT

Mayor Crawford thanked Chris Bergstrom and Larry MacDonald for their years of dedicated service. They have both contributed greatly to the City. He invited any citizen, who would like to participate on City Boards, to contact his office for an application. He noted that we will have $278,000 in Michigan Equity Grant Awards this year.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. **RESOLUTION #216**
April 19, 1993

President Canady and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

AUCTIONEER: Timothy J. Moreland
AUCTION SALE: Timothy J. Moreland
BUILDING WRECKER: Sherrell's Excavating
CABARET: Metro Bowl Inc./Flappers Nite Club
PUBLIC DRIVER: David Lee Devries, Verschul Olson, Jack Albert Ailles, William P. Fossum, Richard J. Edgar Jr., Daniel L. Singles, Eric L. Rupright, Vernasta F. Whitley, Javier Cavazos, Steven James Grob, Robert E. Smykay, Eric D. Robinson, Douglas D. Bateman, Patrick D. Sagataw, Leroy Ford, Gregory D. Brown, Timothy L. Spencer, Anarion Frazier, Michael J. Dumeney, Martin Barron, Jerry Myers, Kenneth Ebright, Mark R. Sefcik
SIGN ERECTOR: Great Lakes Signs, Signs By Lenny, A & A Sign Inc.
STREET MUSICIAN: W. James Strother
TRANSFER CLASS C: YOPA, Inc.
WASTEHAULER: Spartan Services, Inc.

Sincerely,
Marilynn Slade, City Clerk

City of Lansing, MI

By Councilmember Schmidt

To accept the recommendations of the City Clerk and approve the applications for the above stated licenses, with the exception of the Transfer Class C to Yopa, Inc., and to refer the request for transfer of class C to the Committee on General Serives

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of April 12, 1993 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1/ Sole Source Procurements, First Quarter 1993

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

2/ 1992-93 Michigan Equity Grant Awards

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

3/ Resignation of Chris A. Bergstrom from the Lansing Housing Commission

RECEIVED AND PLACED ON FILE

4/Resignation of Larry H. McDonald from the Mechanical Board

RECEIVED AND PLACED ON FILE

5/ Ordinance Amendment to the Demolition Board

REFERRED TO THE COMMITTEE ON PUBLIC SERVICE

COMMITTEE REPORTS

There are no Committee Reports

RESOLUTIONS

RESOLUTION #217
WHEREAS, in Resolution #190 of April 6, 1990, the City Council authorized the acquisition and clearing of the residential property behind the 600 Block of W. Shiawassee Street, City of Lansing, Ingham County, Michigan; and

WHEREAS, this action was taken to encourage the rehabilitation of the residential neighborhood, eliminating a negative living environment, providing an opportunity for improved land use in the neighborhood; and

WHEREAS, the Resolution required the property to be split between the adjacent property owners on W. Shiawassee Street North of the new alley; and

WHEREAS, after the construction of the new alley there is a ten-foot strip of surplus land South of the alley; and

WHEREAS, the other adjacent owners' South of the new alley have been contacted on N. Pine Street and N. Sycamore Street; and

WHEREAS, these property owners have asked for the ten feet of surplus land to increase their side yards.

NOW THEREFORE BE IT RESOLVED, that the City of Lansing does hereby authorize the sale of the properties described as: The South 10 feet of Lot 2, Block 88, Original Plat of the City of Lansing,

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Ingham County, Michigan, to Mark and Rosemary Kerrins. The South 10 feet of Lot 11, Block 88, Original Plat of the City of Lansing, Ingham County, Michigan, to Liebler Construction Co. Inc. a Michigan corporation.

BE IT FURTHER RESOLVED that the administration prepares and sign the appropriate transfer documents, with the purchaser paying one ($1.00) Dollar per front foot plus all closing cost. By Councilmember Lilly

Carried unanimously

RESOLUTION #218

WHEREAS, in Resolution #471 of August 27, 1990, the City Council authorized the acquisition and clearing of the residential property at 214 South Pennsylvania Avenue, City of Lansing, Ingham County, Michigan; and

WHEREAS, this action was taken to encourage the rehabilitation of the residential neighborhood, eliminating a negative living environment, providing an opportunity for improved land use in the neighborhood; and

WHEREAS, the Resolution required the property to be split between the adjacent property owners; and

WHEREAS, William and Nancy Houghtaling the adjacent property owners to the North were the only ones who wanted the property, asking if they could purchase the total; and

WHEREAS, the other adjacent owners have been contacted and did not want the half offered to them.

NOW THEREFORE BE IT RESOLVED, that the City of Lansing does hereby authorize the sale of the property described as: The North ½ of Lot 7, Block 8, Green Oak Addition to the City of Lansing, Michigan, and also that part of Vacated South Pennsylvania Avenue lying West of a line described as: commencing at a point on the South line of Michigan Avenue 8.25 feet East of the Northeast corner of Block 4 said Addition, thence Southwesterly to a point on the North line of Kalamazoo Street being the Southeast corner of Block 15 said Addition and point of ending of the described line; which lies east of and adjacent to the North ½ of said Lot 7 above, City of Lansing, Ingham County, Michigan. To William and Nancy Houghtaling at the price of one ($1.00) Dollar per front foot.

BE IT FURTHER RESOLVED that the administration prepares and sign the appropriate transfer documents, with the purchaser paying all closing costs.

By Councilmember Lilly

Carried unanimously

RESOLUTION #219

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Dr. Gerald A. Faverman earned his bachelor's and master's degrees in history and government from Boston College, then was awarded his doctorate in Administration and Higher Education from Michigan State University in 1975; and

WHEREAS, following academic positions that included assistant dean for planning in the College of Osteopathic Medicine at Michigan State University, and founding dean of the College of Osteopathic Medicine at Ohio University, Dr. Faverman is currently a Clinical Professor in the Political Science Department for the Master's Program in Public Policy and Administration at MSU, and an Adjunct Professor in MSU's Department of Community Health Science; and

WHEREAS, in 1980, Dr. Faverman founded Public Sector Consultants, Inc., and as Senior Consultant and Chief Executive Officer, has seen his firm grow to become one of the premier public policy consultants in Michigan; and

WHEREAS, among the many organizations to which Gerry Faverman devotes his time and energy, the Friends of the Turner-Dodge House and the Opera Company of Mid-Michigan owe their existence to this gentleman for his efforts to create and organize them;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 19th day of April, 1993, hereby honors DR. GERALD A. FAVERMAN for his many outstanding accomplishments that have contributed greatly to the quality of life in Lansing.

By Councilmember Belen

Carried unanimously

RESOLUTION #220

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City Charter provides that citizens be afforded the opportunity to comment on proposed City spending prior to the adoption of the annual City Budget, and

WHEREAS, Public Act 5 of 1982 provides that the proportion of State Equalized Valuation growth related to property appreciation be reduced from operating millage, unless local governing bodies publish a public hearing notice, conduct a public hearing, and vote to restore such millage, and

WHEREAS, the Mayor's FY 1993-94 Budget maintains the current operating tax levy of 15.04 mills, including 1.0 mills voted by Lansing citizens for Parks improvements, and

WHEREAS, the City Assessor has estimated the City's base millage rate under Public Act 5 of 1982, after allowing for new construction and deletions, to be 14.3326 mills, requiring that .7074 mills of the current operating levy be restored to meet City funding requirements and the requirements of the Act.

NOW, THEREFORE BE IT RESOLVED that separate public hearings be held on Monday, May 10, 1993, at 7:00 p.m. in City Council Chambers on the 10th Floor of City hall in regard to the following matters; a) the City of Lansing's FY 1993-94 operating and capital improvements budgets; b) the City's Community Development Block Grant allocation including reprogrammed funds from previous years; and c) in regard to the City's tax rate, including millage restoration under Public Act 5 of 1982, and

BE IT FURTHER RESOLVED that .7074 mills be restored under Public Act 5 of 1982, and

BE IT FINALLY RESOLVED that public hearing notices, as required by Public Act 5 of 1982, and by City Charter, be published through

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

the City Clerk's Office.

By Councilmember Benavides

Carried unanimously

RESOLUTION #221
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Elected Officers Compensation Commission has conducted its bi-annual review of the salaries of Lansing's elected officials; and

WHEREAS, after reviewing a survey of the compensation of elected officials in comparable communities, as well as testimony from elected officers and members of the public, the Commission has determined that the current salaries of the Mayor, City Clerk, and Councilmembers are adequate, and that no salary increase is recommended for 1993 and 1994; and

WHEREAS, the Commission's report was reviewed and concurred in by the Committee of the Whole;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby acknowledges the 1993 Report of the Elected Officers Compensation Commission, which recommended no salary changes for Lansing elected officials in 1993 and 1994; and

BE IT FURTHER RESOLVED the City Council thanks the Members of the Commission for their efforts during the many hours of meetings that led to their recommendation.

April 19, 1993

By Councilmember Benavides

Carried unanimously

RESOLUTION #222
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Branch of the National Association for the Advancement of Colored People will conduct its annual Freedom Fund Banquet on April 24th at the Holiday Inn South; and

WHEREAS, this banquet is an opportunity for members of the community to show their support for the NAACP; and

WHEREAS, the featured speaker at this year's banquet will be Tom Fleming, the 1992 National Teacher of the Year, who teaches history, government and geography in a one-room school house in the Washtenaw Intermediate School District;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 19th day of April, 1993, hereby salutes the Lansing Branch of the National Association for the Advancement of Colored People on the occasion of the NAACP's annual Freedom Fund Banquet.

By Councilmember Benavides

Carried unanimously

RESOLUTION #223
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, former Ingham County Commissioner Carl Evanoff passed away on April 17, 1993, at the age of 70; and

WHEREAS, Mr. Evanoff ably represented residents of the Groesbeck area on the Board of Commissioners for 10 years; and

WHEREAS, Mr. Evanoff founded and operated his own business, Classic Arms Company, on Lake Lansing Road; and

WHEREAS, Members of Council remember Carl Evanoff with admiration and respect for his years of outstanding service to his constituents;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 19th day of April, 1993, hereby offers heartfelt sympathy to the family of Carl Evanoff.

By Councilmember Schmidt

Adopted by the following vote:

YEAS: Councilmembers Belen, Benavides, Brockwell, Canady, Lilly, Schmidt

NAYS: Councilmember Beal

ABSENT: Councilmember Ford

ORDINANCES FOR INTRODUCTION

AMENDING CHAPTER 264
WATERFRONT DEVELOPMENT BOARD

By Councilmember Brockwell

That the following ordinance of the City of Lansing, Michigan providing that the Code of Ordinances be amended by

Amending Chapter 264 for the purpose of Changing the Name of the Waterfront Development Board to the River and Waterfont Board, Continuing the Existence of Said Board and to Readopt Chapter 264

Was introduced by Councilmember Brockwell read a first and second time by its' title and referred to the Committee on Public Services

RESOLUTION #224
RESOLUTION SETTING PUBLIC HEARING

By Councilmember Brockwell

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, April 26, 1993 at 7:00 P.M. in the City Council Chambers on the 10th Floor of Lansing City Hall located at 124 W. Michigan Avenue for the purpose of considering an Amendment to Chapter 264 for the purpose of Changing the Name of the Waterfront Development Board to the River and Waterfont Board, Continuing the Existence of Said Board and to Readopt Chapter 264

Interested persons are invited to attend this public hearing By Councilmember Brockwell

Carried unanimously

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Beal; a letter from the Eastside Neighborhood Organization regarding the Building and Safety Department

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

REFERRED TO THE MAYOR

2/ From Councilmember Schmidt; a Resolution of Tribute to the late Carl Evanoff, Ingham County Commissioner

HANDLED AS RESOLUTION #223

3/ From Councilmember Benavides; a request from the Association of Junior Athletes that the be recognized with Non-Profit Status

REFERRED TO THE CITY ATTORNEY

4/ From Councilmember Benavides; a request that the rules be suspended to allow him to present Certificates of Recognition to seven visiting students from our Sister City Guadalajara, Mexico, during the Special Ceremonies Portion of the Agenda

THE RULES WERE SUSPENDED, AND COUNCILMEMBER BENAVIDES PRESENTED CERTIFICATES OF RECOGNITION TO SEVEN VISITING STUDENTS FROM GUADALAJARA, MEXICO

5/ From Councilmember Benavides; a letter from Thomas G. Walsh, Attorney, Chairman of the City Charter Commission, regarding the intent of the Commission in the development of the City Charter

REFERRED TO THE COMMITTEE OF THE WHOLE

6/ From Councilmember Brockwell; a letter from Mayor Crawford submitting a resolution for a Construction Alternative for Shiawassee Street Bridge

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

7/ From Councilmember Brockwell; a letter from Mayor Crawford submitting a request from the Public Service Department for Change of Intent

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

8/ From Councilmember Belen; a letter from Hamco Management regarding commercial property on Spikes Lane

REFERRED TO THE MAYOR

9/ From Councilmember Brockwell; a request that Special Ceremonies be moved up to be held immediately following Suspension of the Rules

THE RULES WERE SUSPENDED AND SPECIAL CEREMONIES WERE HELD FOLLOWING THE SUSPENSION OF THE RULES

By Councilmember Schmidt

To excuse Councilmember Ford from tonight's meeting

Carried unanimously

MAYOR'S COMMENTS

Mayor Crawford expressed his sympathy to the Carl Evanoff family. He was a truly dedicated public servant. He reminded everyone that the recycling program has been expanded. The City now accepts magazines and aluminum. These products need to be bundled.

COUNCILMEMBER'S COMMENTS

Councilmember Schmidt said there has been a lot of interest regarding the traffic congestion in the area of the new Kroger Store at Logan and Holmes. People are concerned about the increased risk to pedestrians crossing Logan St. There used to be a push button light there for pedestrian traffic. The residents of the apartment complex across the street are requesting assistance with this problem. She has relayed this condition to Dave Berridge and asks that Mayor Crawford check into it. She spoke about a residual problem of the CSO project. In the area of Schubel, Parkdale and Pershing contractors have excavated a lot of dirt from in front of people's homes. There has been no indication that these contractors intend to return to clean this dirt up. She anticipates having the same problem city-wide as the project progresses. She requested that these contracts be amended to provide for cleanup. Mayor Crawford responded that they are currently conducting a study on the Logan/Holmes intersection, and he will follow up with Mr. Clegg regarding the cleanup problem.

PUBLIC COMMENTS

Rudolph Castillo of 1417 Logan St., Acting Chairman of the Mid-West Hispanic Institute, announced their annual Cinco de Mayo festival. The festival will open May 2, 1993 and last through the week. Caesar Chavez will lead their parade. He offered to help Mayor Crawford maintain good relations with the hispanic community. They are still experiencing pain from the Mendosa and Torres killings.

William Bernstein of 420 Baker St. warned all Councilmembers that they will be defeated in the November election.

Frank Curtis of 1137 W. Allegan spoke regarding the unfairness of the verdict in the trial of four police officers accused of the Rodney King beating in Los Angeles. He accused the media of being biased.

Russell Greear of 3801 Walton thanked Councilmember Schmidt for her concern over the streets in his neighborhood. He has not been able to get any response to his complaints about the crossing light at Holmes and Logan. He reported a mud puddle at the bus stop by Washington Park.

Lee Shunk, Jr. of 601 Leslie St. said that he has been trying to get written confirmation that his petitions to change the City Charter to make the City Attorney's position an elected one are legal.

Mary Massoglia of 2911 Cooley told Council that she got a letter inviting her to attend a meeting in regards to the yield signs she has petitioned for. She cannot attend the meeting, but would like Council's support for her request. She asked who wrote the resolution offering the Early Retirement Incentive? Mayor Crawford answered that the Finance Department wrote the resolution.

Yolyn Hollingsworth, no address given, requested that complimentary space be given to a group of Eastern High School students at the Civic Center to be used for a fund raiser. They have started a scholarship search program and will attempt to raise funds for scholarships for needy students.

Lloyd Teets of 116 E. Elm St. commented on the letter written by former Mayor Graves. He read the mission statement of the Citizens for a Better Lansing group. He asked why outside legal counsel for the City has not made a settlement offer to CBL to settle the early retirement issue out of court? Who else was involved in writing this plan? The City's lawyers should offer some solution to this lawsuit.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Gerald A. Huckaba of 5410 S. Waverly said that Councilmembers have overstayed their welcome. He stated his belief that the recall drive will be successful. He asked for their resignations.

Andrew Anthos, no address given, asked Council to do something positive for the city. They should do something to bring people into the city. He does not want to see them recalled, but they will be unless they take positive action.

Harold Leeman of 529 N. Francis asked President Canady and Mayor Crawford to talk about retirees being used for part time help. He asked President Canady if he has a time table as to when outside legal counsel will advise the City on how to resolve the lawsuit? He complained that since the Early Retirement news broke in November of 1992 the public has not paid any attention to other issues. They are only concerned about and talking about early retirement. More attention should be paid to action items before Council. Council President Canady said that he does not have a specific time frame that the attorneys were to get back to him in. Mayor Crawford said that there are three instances that they are now aware of in which retirees came back to work for the city. One is through a temporary agency which they can do nothing about. Retirees have the right to seek employment through temporary agencies if they choose to. This is not a direct relationship between the City and the former employee. He is aware of another employee who accepted a short term contract with the Kingsley Community Center. The administration was not aware of this fact, but they are working on it now.

Ken Vaughan of 114 Garden St. apologized to Gary Andrews. The Charter and the Code of Ordinances speak for themselves. Gary, he said, had an opportunity to cross his name off of the list of complainants. The entire retirement fiasco stinks of collusion and fraud within City Hall.

ADJOURNED 8:30 P.M.
MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, April 26, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
April 26, 1993

The City Council of the City of Lansing met in regular session at 7:05 P.M. and was called to order by President Canady

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Ford

CONSIDERATION OF LATE ITEMS

By Councilmember Schmidt

To accept the following under suspension of the rules:

1/ From Councilmember Schmidt, a letter from Tim Fox on Irvington St. requesting a traffic review of the speed limit

2/ From Councilmember Benavides, a resolution of tribute to Caesar Chavez

3/ From Councilmember Ford, a letter from Andrew Abood regarding the voting status of the City Attorney and the City Clerk on the Board of Ethics

4/ From Councilmember Schmidt, a request that the rules be suspended, and she be allowed to present the resolution of tribute to the Albert Schmidt family during the Special Ceremonies portion of the agenda

5/ From Councilmember Lilly, a substitute for Item XII B-2, Resolution approving the sale of a portion of the Diamond Reo Property

6/ From Councilmember Brockwell, a letter from Dave Rozga, Manager of the Kroger store at 921 W. Holmes, requesting the installation of a traffic light at their entrance

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. In Consideration of an Amendment to Chapter 264 for the purpose of changing the name of the Waterfront Development Board to the River and Waterfront Board, Continuing the Existence of said Board and to Readopt Chapter 264

There were no speakers for this Public Hearing

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

PUBLIC COMMENT

Andrew Abood of the Abood, Abood & Rheaume law firm at 117 E. Allegan St. said that he is offering his legal opinion on the issue of the voting status of the city attorney and the city clerk on the Board of Ethics after talking to Councilmember Ford. He said the language in the Charter is clear and specific. It is unambiguous. They are not to be voting members of this board. The intent of the writers does not have bearing. What Council must go by is what was written, not what they intended to write.

Lloyd Teets of 116 E. Elm St. thanked Mr. Walsh and Mr. Abood for submitting their analysis of this situation. There is a lot of trashing of the charter going on. Where does the charter say that Council can reject a board's rules of procedure? He cannot find any section that says they have this authority.

Russell Terry of 2101 E. Mt. Hope asked for an explanation of the Committee Report regarding the rehiring of retired city employees. Councilmember Benavides said the report asks the Retirement Board, City Attorney, and the Mayor to review the specifics of this policy.

SPECIAL CEREMONIES

A. Paul Dykema, Forester with the parks and Recreation Department presented Mayor Crawford with the Tree City USA Flag from the National Arbor Day Foundation. This is the ninth year that the Foundation has selected Lansing as a Tree City USA. The city will fly the flag next week in honor of Arbor week.

B. Mayor Crawford presented a Proclamation declaring Thursday, April 29, 1993, Workers Memorial Day, to Glen Freeman from the Greater Lansing Labor Council and Paul Hufnagel from the Lansing Fire Fighters Union. Mr. Freeman thanked Council for recognizing Caesar Chavez, he was a tireless worker on behalf of laborers in this country.

C. Councilmember Schmidt presented a resolution of tribute to the Albert Schmidt family, founders of Schmidt's Hometown Markets. Linda Schmidt accepted on behalf of her sons and thanked Council for paying them this honor. Councilmember Benavides recalled that he worked for fourteen years for Schmidts. The community, he said, really appreciates everything this family did for the city.

COMMUNICATIONS AND PETITIONS

By Councilmember Belen

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Canady

Carried unanimously

A. Letter from the Capital Cities Caucus of National League of Cities regarding their Conference on May 12-14, 1993 in Austin, TX

RECEIVED AND PLACED ON FILE

B. Claim from Attorneys on behalf of their Client, Sarah E. Keller

REFERRED TO THE CITY ATTORNEY

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

C. Notice from the Environmental Protection Agency of a Public Hearing to be held on April 21, 1993 at the Lansing Township Hall regarding the recently completed contamination study at the Adams Plating Superfund* Site

REFERRED TO THE MAYOR

D. Notice from the Michigan Department of Natural Resources of a permit to construct in the flood plain of the Red Cedar River issued to Karen Dailey and Ken Zimmerman of 528 S. Francis Ave.

REFERRED TO THE MAYOR

E. Letter from Justice in Mental Health Organization, Inc. requesting a waiver of parking fees for their annual picnic at Potter's Park on July 23, 1993

REFERRED TO THE MAYOR AND
THE COMMITTEE ON WAYS AND MEANS

F. Letter from Vivian Bloom of 227 S. Eighth St. regarding the Building and Safety Department

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PUBLIC SERVICES

G. Claim Appeal from First Spanish American Baptist Church of 213 E. South St.

REFERRED TO THE CITY ATTORNEY AND
THE COMMITTEE ON GENERAL SERVICES

H. Letter from the Capital Region Airport Authority submitting their Draft FY 1993-1994 Budget

RECEIVED AND PLACED ON FILE

I. Letter from McKinney & Associates regarding the status of Senate Bills 348-362 (Municipal Civil Infractions Legislation)

RECEIVED AND PLACED ON FILE

J. Letter from the Lansing Neighborhood Council objecting to the deletion of a clerical position in the City Attorney's office

REFERRED TO THE MAYOR AND
THE COMMITTEE OF THE WHOLE
(BUDGET CONSIDERATIONS)

MAYOR'S COMMENTS

Mayor Crawford outlined his letters on tonight's agenda. He thanked the Planning Board for acting expeditiously on the sale of former Diamond REO property. He thanked everyone for working to ratify the UAW labor contract so quickly.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. **RESOLUTION #225**
April 26, 1993

President Canady and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

CABARET: Dream Girls
ICE CREAM PEDDLER: Belly Buster's
PUBLIC DRIVER: Nicholas J. Hott, Shawn P. Shultz, Paul Wokas, Richard M. Balogh, Kenneth W. Green, Allen E. McGrew, Jr., Douglas B. Wood, Bennett W. Hart, Leon J. DeWitt, Jr., Jeffrey P. O'Connell, Philip Klausing, James K. Leach, Joseph W. Whitford, Richard C. Miller, Robert Ray Brown, D. Bruce Merrill, Joseph J. Donitelli
SIGN ERECTOR: City Sign Erectors, Terrell Associates

Sincerely,
Marilynn Slade, City Clerk
City of Lansing, MI

By Councilmember Schmidt

To seperate the Cabaret License for Dream Girls from the remaining licenses and accept the recommendations of the City Clerk to approve the above listed licenses, with the exception of Dream Girls.

Carried unanimously

By Councilmember Benavides

To refer the application for a Cabaret License for Dream Girls back to the Committee on General Services

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of April 19, 1993 for Review

RECEIVED AND PLACED ON FILE

C. Letter from the City Clerk submitting a Draft of the Revised Rules of Procedure for the Downtown Mall & Environs Advisory Board

RECEIVED AND PLACED ON FILE

D. Letter from Al Knot, City Attorney regarding his Review of the Political Yard Sign Case

RECEIVED AND PLACED ON FILE

E. Letter from the Greater Lansing Convention/Exhibition Authority regarding the draft of the Proposed Marketing Agreement developed by the Convention/Visitors Bureau

RECEIVED AND PLACED ON FILE

F. Letters from the Mayor re:

1/ ACT-04-92, 238 E. Hazel St.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

2/ ACT-07-92, E. Maple St.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

3/ ACT-47-92, 1913 Tecumseh River Drive

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

4/ ACT-07-93, Portion of the Diamond Reo Property

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

5/ SLU-02-93, 911 W. Hillsdale

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

6/ SLU-03-93, E. Michigan Ave.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

7/ Lansing City Market Rental Rate

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

8/ Downtown Mall and Environs Special Assessment Public Hearing

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

9/ Change of Intent-Westside Interceptor

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

10/ Administrative Transfer Resolutions FOP Supervisors, FOP 911 Operators

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

11/ Administrative Transfer Resolution—Implementation of the Administrative Reorganization Plan

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

12/ Public Improvement I, East Side of Dr. Martin Luther King, Jr. Blvd./Logan St. Sanitary Sewer Construction

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

13/ Shiawassee St. Bridge

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

14/ **RESOLUTION #226**
TO: Council President Mark Canady and City Councilmembers
FROM: James A. Crawford, Mayor
DATE: April 22, 1993
SUBJ: Trash Violation Fee (V-26)—$2,875.41

The attached trash violation/assessment fees for removal of trash and debris in the R.O.W. is forwarded with my concurrence for your review and appropriate action.

By Councilmember Ford

To accept the recommendations of the Mayor

Carried unanimously

15/ **RESOLUTION #227**
TO: City Council President Mark Canady and City Councilmembers
FROM: James A. Crawford, Mayor
DATE: April 22, 1993
SUBJ: Resolution for Labor Contract—U.A.W., Local 2256

The attached resolution is being submitted with my concurrence for your review and appropriate action.

By Councilmember Benavides

To accept the recommendations of the Mayor and place an affirmative roll on the attached resolution ratifying the Labor Contract with U.A.W. Local 2256

Carried unanimously

16/ Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

17/ Appointment, of Janice M. Eschbach to the Mayor's Citizens Advisory Committee on Recycling

PULLED FROM THE AGENDA AT THE REQUEST OF THE MAYOR

COMMITTEE REPORTS

RESOLUTION #228
THE COMMITTEE ON GENERAL SERVICES, to whom was referred the report from Deputy Chief of Police James V. Heyden regarding documented violations of the City wrecker licensing ordinance by Stowe Brothers Towing,

REPORTS AS FOLLOWS: The Committee has been advised that the company has filed its application for renewal of its Class A license, which expires April 30, 1993. The report from LPD lists six cases containing a total of 11 distinct violations of the ordinance. The Committee is sending a copy of the LPD report and a copy of this committee report to the applicant. The Committee is also giving the applicant an opportunity to appear before the Committee and respond to the violations listed in the LPD report. The Committee will then make a recommendation to the Council on the company's application for license renewal. This report is for information only, and no Council action is required at this time.

Signed: Charles Ford
Alfreda Schmidt
Robert Brockwell

April 26, 1993

BY COUNCILMEMBER FORD:

That the report of the Committee be received.

CARRIED UNANIMOUSLY, COUNCILMEMBER SCHMIDT ABSENT FOR THE VOTE ON THIS ITEM

RESOLUTION #229
THE COMMITTEE ON GENERAL SERVICES, to whom was referred the memo from Senior Assistant City Attorney John M. Roberts, Jr., regarding Pop Warner football equipment Storage at St. Joe Park,

REPORTS AS FOLLOWS: The Committee sponsored Resolution #513, adopted September 28, 1992, which settled the claim of Willard Walker by providing partial reimbursement for uniforms and equipment disposed of by the Parks and Recreation staff without notice to or permission from the Pop Warner League, which had stored these items in the St. Joe Park Fieldhouse. The resolution requested the Mayor to have the Parks and Recreation staff develop an agreement with the League and Kappa Express on terms and conditions for storage of uniforms and equipment in a City park facility. The Mayor was also requested to review and comment on the City Council's policy resolution regarding use of

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

City facilities by outside groups, found on pp 191-192 of the 1981 Council Proceedings. Attorney Roberts memo updated the Committee on the matter of the equipment storage agreement with the Pop Warner League. Parks and Recreation Director R. Eric Reickel has reached an understanding with the League, which will sign an appropriate license to use the building at St. Joe Park for storage of football equipment from August 15 through November 30. Terms and conditions will be included in the license document. Therefore, this portion of the matters requested of the Mayor in Resolution #513 has been completed. This report is for information only, and no Council action is required.

Signed: Charles Ford
Alfreda Schmidt
Robert Brockwell

By Councilmember Belen

To excuse Councilmember Schmidt and Council President Canady from the vote on this item

Motion Defeated by the Following Vote:

YEAS: Councilmembers Belen, Benavides, Brockwell, Ford

NAYS: Councilmembers Beal, Lilly

By Councilmember Ford

That the Report of the Committee be Received

Adopted by the following vote:

YEAS: 7

NAYS: 1 (Councilmember Belen voting Nay)

April 26, 1993

RESOLUTION #230
THE COMMITTEE ON WAYS AND MEANS, to whom was referred the request of the administration for a transfer from General Fund-Fund Balance for purchase of a new mailing machine to replace the existing machine which has surpassed its design life and is experiencing frequent downtime and repairs,

REPORTS AS FOLLOWS: At the request of the Committee, the administration has identified residual funds of $17,845 within Operational Services and Administrative Services Administration accounts, sufficient for purchase of a replacement machine.

The replacement of the mail machine at this time will result in immediate savings. The City is currently paying approximately $4,000 per year for a maintenance contract on the existing unit. With purchase of a new machine, this will be reduced to approximately $1,700, after expiration of the 90 day warranty period. Additionally, the new machine will save approximately $2,700 per year by weighing parcels over 1 ounce, allowing these to be sent through presort, rather than directly to the post office. Further, the new machine will automate account billings by use of barcoding, avoiding operator data entry.

As this item was not identified for acquisition in the F.Y. 92-93 Recommended Budget, standing policy requires Council approval prior to purchase. The Committee recommends approval for purchase of a new mail machine by the City Council.

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

That the report of the Committee be approved.

CARRIED UNANIMOUSLY

April 26, 1993.

RESOLUTION #231
THE COMMITTEE ON WAYS AND MEANS, to whom was referred the issue of rehiring City retirees,

REPORTS AS FOLLOWS: The Internal Auditor submitted a list of questions and concerns to the Committee. The Committee has reviewed this list and requests the Mayor, City Attorney and the General Employees Retirement System Board review and respond to the issues identified by the Auditor.

In addition the Committee asks that the City Attorney clarify any concerns with creation of separate classes of retirees, specifically those who retired under the most recent early retirement plan, as compared to regular age and service, disability retirees, or retirees under previous retirement incentives.

As a point of clarification, it is the intent of the Committee that the its current policy discussion is directed at the rehiring policy and ordinance currently in place, and should not impair the agreement between the Administration and City Council in regard to the moratorium on rehiring employees who retired under the 1992 Employee Retirement System incentive.

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt

BY COUNCILMAN BENAVIDES:

That the Report of Committee be approved.

CARRIED UNANIMOUSLY

April 26, 1993.

RESOLUTION #232
THE COMMITTEE ON WAYS AND MEANS, to whom was referred the sole source purchases over $10,000 for the quarter ended March 31, 1993,

REPORTS AS FOLLOWS: This report was received pursuant to Section 206.05 (b) of the City Code of Ordinances. The Committee has reviewed these purchases and offers no objections to the following sole source purchases submitted:

1. Traffic Safety Control Systems of Wixom, MI is the only firm that supplies the type of equipment that is used throughout the traffic system.

2. Cues Incorporated of Orlando, FL designed and fabricated the existing sewer inspection (television) equipment. The new radial view camera will be compatible with existing the equipment.

3. MSU is the only local veterinary service that can treat all zoo animals. The laboratory facilities available through MSU are not available anywhere else in the area.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

4. Granger Waste Management Co. is the only landfill in the area licensed to receive contaminated material from the Diamond Reo site.

5. Matoon and Lee Equipment Inc. of Farmington, MI is the sole authorized representative of Lightin Mixer parts in the area. As the company does not deal directly, the City must obtain replacement parts through the authorized representative for the area.

This report is informational and no Council action is required.

SIGNED: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

That the Report of Committee be received.

CARRIED UNANIMOUSLY

April 26, 1993.

RESOLUTIONS

RESOLUTION #233
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, YOPA, Inc. (stockholders: Chandu V. Patel, Dahyalal M. Patel, Manilal V. Patel, Mukesh M. Patel, and Vasant B. Patel) has applied to the Michigan Liquor Control Commission to transfer ownership of a 1992 Class C licensed business with Dance Permit and Entertainment Permit without dressing rooms, located at 1000 Ramada, from Michigan National Bank (Step II); and

WHEREAS, the City Clerk has reported that the application has been reviewed and approved by appropriate City staff; and

WHEREAS, the Committee on General Services has reviewed this matter and recommends that the application be forwarded to the Commission with a positive recommendation;

NOW, THEREFORE, BE IT RESOLVED by the Lansing City Council that the request from YOPA, Inc., to transfer ownership of a 1992 Class C licensed business with Dance Permit and Entertainment Permit without dressing rooms, located at 1000 Ramada, from Michigan National Bank (Step II), is hereby recommended for approval.

April 26, 1993

By Councilmember Ford

Carried unanimously, Councilmember Beal absent for the vote on this item

RESOLUTION #234
BY THE PHYSICAL DEVELOPMENT COMMITTEE

WHEREAS, the structural condition of the Shiawassee Street Bridge over the Grand River in the City of lansing, Michigan has undergone significant deterioration and has an anticipated remaining life span of shore duration, and

WHEREAS, this structure is of crucial importance to the transportation and leisure services of the City of Lansing, and

WHEREAS, available federal and state critical bridge funding for this structure requires approval of a recommended alternative as presented in the draft environmental assessment for this structure, and

WHEREAS, the City has obtained input with regard to potential design alternatives from representatives of many community interests who would be directly affected by the selected construction alternative for the Shiawassee Street Bridge, and

WHEREAS, the City and community interests wish to cost effectively maintain the aesthetic character of the bridge, and

WHEREAS, those alternatives calling for the demolition and replacement of the structure, are projected to reduce construction costs and simplify maintenance for the bridge while providing additional traffic lanes, will maintain historic details and improve visibility and safety beneath the structure, will improve vehicular and pedestrian traffic flow, and will better accommodate future traffic planning needs, and

WHEREAS, the design alternative for replacement of the stucture with a four lanes structure having two river spans and one land span while maintaining selected historical details of the existing structure most effectively addresses the varied interests and concerns of all parties,

NOW THEREFORE, BE IT RESOLVED that the City of Lansing approves the draft environmental assessment and supports a three span, four lane alternative for the replacement of the Shiawassee Street Bridge with a structure utilizing modern construction technologies while providing historical period design to the concrete ballustrades, arched fascia panels, lighting and details of the structure;

BE IT ALSO RESOLVED THAT the City intends to proceed with design and construction of the approved alternative following approval of the environmental assessment for the Shiawassee Street Bridge by all required parties.

By Councilmember Lilly

Carried Unanimously

RESOLUTION #235
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

Act 7-93 Portion of the Diamond Reo Site

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the applicant, Richard A. Henderson, has proposed to purchase 2.77 acres adjacent to and North of Lansing Sanitary Supply on the Diamond Reo site and further requested an option on an additional 1.7 acres directly North and adjacent to the site he desires to purchase; and

WHEREAS, the Lansing Planning Division, through its staff report, evaluated the proposed 18,000 square foot office building to be constructed on the site and concluded the following:

1. That the proposed use and parcel were in keeping with the character of the area; and

2. The lotting configuration will provide all available properties with direct street access and will not negatively impact the future development of the remaining portion of the Diamond Reo site; and

WHEREAS, the Lansing Planning Board, at their meeting of April 20, 1993, reviewed the Planning Division's staff report and

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

recommended approval of the sale and the option to purchase by unanimous vote, with the additional recommendation that the preliminary plat for the remainder of the property be expedited and that all parcels already sold or being considered for sale accept the condition requiring them to be included in the plat with appropriate easement; and

WHEREAS, the Mayor concurs in the Planning Board recommendations; and

WHEREAS, the Committee on Physical Development of the City Council has reviewed the report of the Planning Board and concurs therein; and

NOW THEREFORE, BE IT RESOLVED that the Lansing City Council approve the sale of 2.77 acres of land adjacent to and north of Lansing Sanitary Supply expressly subject to the following conditions:

1. Agreement by the purchaser to have all lots included in the plat of Diamond Reo including all necessary and/or recorded easements.

2. Agreement by the purchaser to design a building compatible with surrounding uses and appropriate for the site.

3. Agreement by the purchaser to comply with all landscape, site plan review, and all other appropriate Code requirements.

BE IT FURTHER RESOLVED that the Mayor is authorized to execute all documents which would result in the sale of 2.77 acres of land adjacent to and north of Lansing Sanitary Supply, subject to the above-mentioned three conditions;

BE IT FURTHER RESOLVED that the Mayor is authorized to enter into an option with Mr. Richard A. Henderson to purchase an additional 1.7 acres north of the primary site with the potential of creating great flexibility in building and site design subject to the conditions as stated above.

BE IT FINALLY RESOLVED that the Lansing City Council supports the final development of a plat for the remaining portion of the Diamond Reo site, including those parcels already sold and those being considered for sale, and requests the City administration to take the appropriate action for platting the Diamond Reo site, including those parcels already sold and those being considered for sale.

By Councilmember Lilly

Carried unanimously

RESOLUTION #236
COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing has been awarded $278,625 from the 1993 Michigan Equity Program subject to conditions and provisions outlined in the proposed Grant Agreement; and

WHEREAS, the City desires to accept the grant that will support a variety of cultural programs and activities; and

WHEREAS, the City agrees to abide by all terms, conditions, and provisions outlined in the signed agreement.

NOW, THEREFORE BE IT RESOLVED that the Lansing City Council does hereby accept these funds in the amount of $278,625 for the following projects in the amount noted:

1.	Turner Dodge Improvements	28,599
2.	Frances Park Woodland Garden	9,533
3.	Cooley-Scott Garden	9,533
4.	Capitol Arboretum	7,888
5.	Riverfest	8,580
6.	Arts Agency Operational Support	157,294
7.	Arts Agencies Capital Improvement	9,533
8.	Black Child and Family Institute	7,150
9.	Hispanic Culture Center	6,673
10.	Michigan Women's Hall of Fame	11,440
11.	Lansing Concert Band	7,626
12.	Garden Club/Scott Center	1,430
13.	Lansing Public Library	13,346
TOTAL		**$278,625**

By Councilmember Brockwell

To excuse Councilmember Benavides from the vote on #'s 6, and 8

Defeated by the following vote:

YEAS: Councilmembers Belen, Brockwell, Ford, Schmidt

NAYS: Councilmembers Beal, Canady, Lilly

ABSTAIN: Councilmember Benavides

By Councilmember Brockwell

To place an affirmative vote of Council as a whole on all items included in the resolution

Carried unanimously

Item XII C-2., Resolution for Transfer of Funds from the Committee on Ways and Means was pulled from the agenda at the request of Councilmember Benavides

RESOLUTION #237
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, in November 1919, Paul and Albert Schmidt founded Schmidt's Home Town Markets, which grew over the years to a chain of seven stores in and around Lansing; and

WHEREAS, the Schmidt family, led by Albert "Bud" Schmidt, has built an outstanding reputation by generously supporting community organizations and events, especially those involving young people in worthwhile endeavors; and

WHEREAS, Schmidt's Home Town Markets have co-sponsored "Quiz Busters" a high school academic competition produced by WKAR-TV, and the annual Safety Patrollers' Picnic at Francis Park coordinated by the Lansing Area Safety Council, the most visible among their many continuing contributions to the youth of Greater Lansing; and

WHEREAS, before the last two Schmidt's stores are sold on May 3, 1993, this Council desires to highlight the altruism of the Schmidt family for the People of Lansing;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 26th day of April, 1993, hereby pays

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

tribute to Albert "Bud" Schmidt and his family for their years of generous support of our community, and their emphasis on rewarding the achievers among the youth of the Greater Lansing area.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #238
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing Board of Ethics has submitted to the Lansing City Council proposed amendments to the current Ethics Board Rules of Procedure, and

WHEREAS, consistent with Article 5, Chapter 1, Section 105.8 of the Lansing City Charter the City council duly referred the proposed amendments to the Committee of the Whole, and

WHEREAS, given that most of the proposed amendments to the Ethics Board Rules of Procedure involve interpretation of Charter language regarding the Ethics Board, the Committee of the Whole requested input and clarification from local attorneys and past Charter Commission Members, and

WHEREAS, Mr. Thomas C. Walsh, a local attorney and Chairperson of the Charter Commission that prepared and submitted the current City Charter, has responded to this request with a lengthy memorandum serving to clarify the Charter language in dispute, and also providing the legislative canons of statutory construction governing interpretation of the disputed City Charter language, and

WHEREAS, also the vice Chairperson of the Charter Commission appeared in front of the Committee of the Whole and reaffirmed the opinion of the Chairperson of the Charter Commission that the Charter Commission intended that the City Attorney and the City Clerk shall be voting members of the Ethics Board, and

WHEREAS, Article 5, Chapter 1, Section 105.9 of the City Charter states that "The Council may object to the rules in whole or in part and may return them to the board, proposing their adoption with a statement of its objections and recommendations."

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby objects to the proposed amendments to the Ethics Board Rules of Procedure as submitted for the reasons presented in the attached memorandum received from Attorney, Mr. Thomas C. Walsh, and

BE IT FURTHER RESOLVED that the proposed amendments to the Ethics Board Rules of Procedure are hereby not accepted by the Lansing City Council and therefore are being returned unadopted to the Ethics Board.

April 26, 1993

By Councilmember Benavides

To accept a substitute resolution for the copy originally submitted in the packet

Carried unanimously

By Councilmember Beal

To ammend the resolution by substituting the words "not approved" for the word 'unadopt' in the last paragraph

Defeated by the Following Vote:

YEAS: Councilmembers Beal, Belen, Ford

NAYS: Councilmembers Benavides, Brockwell, Canady, Lilly, Schmidt

By Councilmember Lilly

To insert the words "in whole" following the words 'are hereby not accepted' so that the last paragraph reads: "BE IT FURTHER RESOLVED that the proposed amendments to the Ethics Board Rules of Procedure are hereby not accepted IN WHOLE by the Lansing City Council and therefore are being returned unadopted to the Ethics Board."

Adopted by the Following Vote:

YEAS: Councilmembers Belen, Benavides, Brockwell, Canady, Lilly, Schmidt

NAYS: Councilmembers Beal, Ford

By Councilmember Ford

To attach Mr. Abood's letter to the resolution when it is transmitted to the Board of Ethics

Defeated by the following vote:

YEAS: Councilmembers Beal, Ford

NAYS: Councilmembers Belen, Benavides, Brockwell, Canady, Lilly, Schmidt

By Councilmember Benavides

To place an affirmative roll on the resolution as amended

Approved by the following vote:

YEAS: Councilmembers Belen, Benavides, Brockwell, Canady, Lilly, Schmdit

NAYS: Councilmembers Beal, Ford

Thomas C. Walsh
Attorney At Law
1515 W. Mt. Hope Avenue, Suite 5
Lansing, Mi 48910-2664

Telephone: (517) 482-8337

April 17, 1993

Mr. Tony Benavides, Councilmember
Lansing City Council
City Hall, Tenth Floor
Lansing, Michigan 48933

RE: CITY ETHICS BOARD CONTROVERSY

Dear Tony:

I write to follow-up our telephone conversation of Friday afternoon. You asked whether I, as the Chairman of the City Charter Commission which prepared and submitted to the public the existing City Charter adopted August 8, 1978 could shed any light on the existing controversy regarding the City's Board of Ethics.

I believe I can.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

You asked particularly for reaction on the three questions pending at the April 16th Council Session which are:

1. Are the City Clerk and the City Attorney supposed to be voting members as members of the Board of Ethics?

2. If they are not, was it the intent of the Charter Commission to have the City Attorney serve as the Board's legal advisor?

3. Does City Council, by Charter, have the authority to appoint additional members to the Board of Ethics?

The existing controversy apparently arises because of a report by John F. Mertz, the Board of Ethics Chairman dated February 21, 1993 which, admittedly without research, finds a conflict between the Charter provisions in Section 5-104 and Chapter 5, the Board of Ethics provisions.

Mr. Mertz analysis reports that he knows of no legal theory upon which the two portions of the Charter can be reconciled.

Let me suggest two:

For simplicity and references and to reduce the length of this letter, I will attach a copy of the four portions of the Charter which I believe pertinent. These are: Section 1-301.3; Section 5-103.2; Section 5-104; and Chapter 5, the Board of Ethics.

Let's begin with question number:

1. ARE THE CITY CLERK AND THE CITY ATTORNEY SUPPOSED TO BE VOTING MEMBERS AS MEMBERS OF THE BOARD OF ETHICS?

After reviewing the Charter which we did fourteen (14) years ago, and particularly the three Sections noted above, I have the very strong opinion that yes they certainly are supposed to be voting members of the Board of Ethics.

There are two legislative canons of statutory construction which would seem to control the conflict which the Board of Ethics Chairman finds.

The First is the principal that in statutory construction, the specific provision controls over the more general provision.

I will be out of town for a few days commencing on Sunday and hence will not be able to attend the meeting Monday night, nor will I have time to do the research to get the technical or Latin name for this canon. There are probably several hundred attorneys who can, and I hope after the newspaper story of Friday, will do the research to provide you with citations to support that very well established rule of construction.

The second legislative canon is known in the Latin, as Inclusio Unitas, Exclusio Ulteris.

This is also a basic canon of construction and means that when one thing is expressly included in the law, all other things are excluded.

Taking these legislative canons of construction into account, the ineligibility for Boards provision at 5-104 provides:

"No person holding another City office or actively employed by the City shall be eligible to be a voting member on any board."

This is a general prohibition against the Mayor and Council appointing to City boards, persons who hold either other City office or employment with the City by declaring such persons ineligible to serve as voting members.

The Board of Ethics section is a specific designation of a five member board, of which two of the members are the holders of two Charter established offices, namely City Clerk and City Attorney.

Let me also direct attention to one portion of Article five dealing with City Boards and Commissions.

Section 5-103.2 which reads:

"Except as otherwise specifically provided in this Charter or State law, the Mayor shall appoint persons to all such boards, commissions and committees with the advice and consent of the Council. No such appointment shall be effective until it has been confirmed by the Council."

The ineligibility for Board's Provisions (5-104) appears in the Charter shortly after the appointment to Boards by the Mayor and Council provision and I submit relates to it.

Section 5-502.1 which establishes the Board of Ethics as three public members plus individuals who are members by virtue of holding the Charter established offices of City Clerk and City Attorney is a specific Charter provision exception as referred to in the Mayor and Council appointment section 5-103.2.

I note that the three public members are appointed by the City Council alone.

Lest it be thought that the Charter Commission or its attorney simply missed the boat by creating an ambiguity, let me refer to Section 5-502.3 which provides:

"Members of the Board of Ethics appointed by the City Council shall be residents of the City and shall hold no public office and no other City office or employment."

It is this section which to me fits the legislative canon that if one thing is specifically included, all others are excluded.

The Charter in this provision, by providing that the City Council appoint the three non-office holders to the Board of Ethics, has in effect excluded the City Clerk and the City Attorney, whoever they may be from time to time, from the requirement of holding no office in or employment by the City.

I believe this is reasonably good and clear draftsmanship although it may not be apparent to the casual reader.

My answer, therefore, to the first question is that clearly the Clerk and City Attorney are voting members of the Board of Ethics. The specific designation of these two members in the Charter itself is a specific exception under Section 5-301.2 which overrides the general ineligibility provision of 5-104. The point is reiterated by the requirement that the three members appointed by the Council alone do fall under the same ineligibility rule for other public members.

To the best of my recollection there was no particular controversy about the Board of Ethics Section of the Charter either as we deliberated for one hundred and eighty-two (182) meetings or during the first two Charter submissions to the voters which would have given us an opportunity to be more specific in the third and successful submission in 1978.

The Commission wanted a Board of Ethics that combined some

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

input from persons active in City Government who would have familiarity with the City Government and access to gathering information as issues came before the Board, together with a majority of citizens appointed by the Council with no direct ties of employment or office.

The five members were chosen as a sufficient large group to provide diversity of input and perspective in dealing with delicate and often confidential matters.

There is no doubt in my mind that the entire Board believed that we were establishing a Board of five voting members in the hope that out of diverse backgrounds would come appropriate group decisions.

2. IF THEY ARE NOT, WAS IT THE INTENT OF THE CHARTER COMMISSION TO HAVE THE CITY ATTORNEY SERVE AS THE BOARD'S LEGAL ADVISOR?

A reading of the pertinent Charter Sections together established the City Attorney as a full voting member of the Board by virtue of the public vote which approved the Charter.

To make the City Attorney by City Council approved rule the "legal advisor" to the Board of Ethics would make him or her "more equal" than the other four voting members.

The Charter contains a provision within the Law Department section which provides:

Section 4-3-4.3 "The City Attorney shall advise the officers and agencies, of the City, in writing, on matter relating to their official duties upon request."

To me, this says that the Board of Ethics, like any other City Board or Commission has the right to call upon the City Attorney's office for advise or assistance, at the discretion of the Board.

This general provision applying to all agencies gives each of the Boards or Commissions the option of soliciting advise or assistance from the City Attorney as the Board determines.

I am appalled at the proposed rule change that would make the City Attorney serve as legal advisor to the Board of Ethics. This adds nothing to the City Charter in terms of the City Attorney's Office obligation to provide advise but it appears to be an effort to shift the initiative from the Board asking for advise to the City Attorney offering it without request.

Equally disturbing to me are the provisions of what apparently the existing rules 12.4 and 12.5 which appear to be an effort to funnel the Ethics Board's activities into very limited structured channels.

Section 12.4 required that at its next meeting after receiving a request for advisory opinion that the Board determine whether or not it will render an advisory opinion on that request.

I cannot believe that the City Councilmembers would be happy if they were required, upon receiving a proposal from the Mayor at one meeting to have to decide whether or not they would pursue any action with regard to it by their next meeting. If a Board is to function well, it needs to be able to gather information on a request sufficient to form an opinion as to whether a response should be made. Whether this can be done between the receipt and the immediately following meeting with a sufficient factual basis is a matter of considerable concern.

As an aside, I note that the Sate Bar of Michigan's Grievance Procedure involving lawyers is one of substantial preliminary investigation before a decision to even conduct a formal hearing. Certainly the Board of Ethics should have more leeway than this provision grants.

Section 12.5 of the apparently present rules provides that if the Board elects to prepare an advisory opinion, the City Attorney will automatically do all of the research and provide an advisory memorandum to the Board with such recommendations as the City Attorney deems advisable.

It seems to me that this could make the Board of Ethics functions simply a sounding board for the City Attorney's opinion. I can't believe that City Council has similarly limited the other City Boards in this fashion which by narrowing its procedure which seems to discourage deliberation initiative and the development of consensus by the Board members themselves.

The City Charter only provides that a Board may request and upon request receive advise from the City Attorney.

3. DOES CITY COUNCIL, BY CHARTER, HAVE THE AUTHORITY TO APPOINT ADDITIONAL MEMBERS TO THE BOARD OF ETHICS?

Yes, the City Charter very clearly authorizes Council to appoint additional members to sit for the determination of an issue in place of a Board member who is or may be involved in the issue being considered.

That is specifically what Section 5-502.5 provides. It applies to all five members of the Board and permits a temporary appointee when a Board member is involved and not able to participate in the Board's deliberation.

I note that the Council has already followed through on appointing a replacement for the City Attorney.

If this question means can the Council add additional members beyond the five established by Charter, the answer there is clearly no.

If more than five members are desired on the Board of Ethics, a Charter amendment needs to be submitted to the voters.

I apologize for the length of this letter, but the time available to prepare it limited my ability to be more concise.

The Charter Commission's Attorney was an excellent draftsman and very solid lawyer. If this letter plus whatever volunteer legal opinions may reach you by Monday night are not enough to resolve this issues raised, I suggest the Council might wish to contact or employ the Commission's Attorney for an expert opinion. He is, Thomas M. Donnellan, 1117 S. Franklin Avenue, Flint, MI 48503. His phone number is: (313) 238-6300.

Best wishes to you all.

Sincerely Yours,
Thomas C. Walsh

RESOLUTION #239
BY COUNCILMEMBER TONY BENAVIDES

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, America lost a genuine hero on Friday, April 23, 1993, when Cesar Chavez passed away at the age of 65; and

WHEREAS, Mr. Chavez dedicated his life to the betterment of conditions for migrant farm workers all over our country, and he made many trips to Michigan to further this goal; and

WHEREAS, in his struggles against discrimination and the cycle of poverty common to farm workers, Cesar Chavez developed a personal creed that he expressed in a stirring speech:

"When we are really honest with ourselves we must admit that our lives are all that really belong to us. So, it is how we use our lives that determines what kind of men we are. It is my deepest belief that only by giving our lives do we find life. I am convinced that the truest act of courage, the strongest act of manliness, is to sacrifice ourselves for others in a totally non-violent struggle for justice. To be a man is to suffer for others. God help us to be men."

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 26th day of April, 1993, hereby pays final tribute to the life and accomplishments of CESAR CHAVEZ, founder of the United Farm Workers, with a sense of loss for our community and profound sympathy for Helen Chavez and her eight children.

By Councilmember Benavides

Carried unanimously

INTRODUCTION OF ORDINANCE
AMENDING CHAPTER PART 14, TITLE TWO AND TITLE SIX

DEMOLITION BOARD

By Councilmember Lilly

That the following ordinance of the City of Lansing, Michigan providing that the Code of Ordinances be amended by

Amending Part 14, Title Two and Title: Six, Chapters 1420 and 1460 for the purpose of Making the Qualifications of Hearing Officers Who Determine Whether Buildings or Structures are Dangerous or Unsafe Consistent with Recent State Law

Was introduced by Councilmember Lilly read a first and second time by its' title and referred to the Committee on Public Services

RESOLUTION #240
RESOLUTION SETTING PUBLIC HEARING

By Councilmember Lilly

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, May 17, 1993 at 7:00 P.M. in the City Council Chambers on the 10th Floor of Lansing City Hall located at 124 W. Michigan Avenue for the purpose of considering an Amendment to Part 14, Title Two and Title Six, Chapters 1420 and 1460 for the purpose of Making the Qualifications of Hearing Officers Who Determine Whether Buildings or Structures are Dangerous or Unsafe Consistent with Recent State Law

Interested persons are invited to attend this public hearing

By Councilmember Lilly

Carried unanimously

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Schmidt, a letter from Tim Fox on Irvington St. requesting a traffic review of the speed limit

REFERRED TO THE MAYOR

2/ From Councilmember Benavides, a resolution of tribute to Caesar Chavez

HANDLED AS RESOLUTION #239

3/ From Councilmember Ford, a letter from Andrew Abood regarding the voting status of the City Attorney and the City Clerk on the Board of Ethics

RECEIVED AND PLACED ON FILE

4/ From Councilmember Schmidt, a request that the rules be suspended, and she be allowed to present the resolution of tribute to the Albert Schmidt family during the Special Ceremonies portion of the agenda

THE RULES WERE SUSPENDED AND COUNCILMEMBER SCHMIDT PRESENTED RESOLUTION #237 TO THE SCHMIDT FAMILY DURING THAT PORTION OF THE MEETING RESERVED FOR SPECIAL CEREMONIES

5/ From Councilmember Lilly, a substitute for Item XII B-2, Resolution approving the sale of a portion of the Diamond Reo Property

THE RULES WERE SUSPENDED AND COUNCILMEMBER LILLY SUBMITTED A SUBSTITUTE RESOLUTION, RESOLUTION #235

6/ From Councilmember Brockwell, a letter from Dave Rozga, Manager of the Kroger store at 921 W. Holmes, requesting the installation of a traffic light at their entrance

REFERRED TO THE MAYOR

MAYOR'S COMMENTS

Mayor Crawford urged everyone to participate in the "Michigan Parades into the Twenty-first Century" Parade on Saturday, May 13, 1993. The event is growing and has turned into a great event for the downtown area

COUNCILMEMBER'S COMMENTS

Councilmember Lilly reported receiving a call from a woman with concerns regarding the parking and entrance fees at Potter Park Zoo. She suggested that, if a group arranges to use the pavilion, the parking fees should be waived in lieu of the pavilion rental charges so that they do not have to pay twice.

Councilmember Ford said that he will probably be one of the announcers of the "Michigan Parades into the Twenty-first Century" again this year. Several bands will be marching in it. Last year they had a band from the U.P. for the first time. A lot more people are getting involved. He apologized for his absence last week. He was at a press conference with Earvin "Magic" Johnson

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

to promote the First Annual "Magic Johnson Golf Outing". The proceeds of which will go to the Lansing Youth and Recreation Fund for inclusion into the Parks and Recreation budget. He is in charge of volunteer staff for the event and is looking for volunteers. Anyone interested may call him at 483-4190 and please indicate if you have knowledge of the game of golf. There will be 36 celebrities involved and it will be a fun time. A number of people have gotten involved in the proposal to reinstate athletic programs into the middle schools. Councilmember Beal will be meeting with the Intergovernmental Relations Department of the Lansing School Board to identify funding sources. The Greater Lansing Boosters Organizations are putting together a Boosters group to help fund these activities. They all feel it is important for young people to have year-round sports. The program could be operative as soon as the next school year. He said that the $120,000 dollars in the budget for the Mayor's Neighborhood Advisory Board was not reported clearly in the paper. He hopes this money will spread out evenly according to the neighborhood associations. The fourth ward has more of these associations than other wards do.

Councilmember Schmidt announced that a volunteer group is sponsoring the Pop Warner Football Banquet. The guest speaker will be Dean Look. He is well known for officiating at Superbowl games. The banquet will be held May 13, 1993 at the USA Banquet Hall on Hannah Road. Please help support this event. She has tickets available.

Council President Canady announced that he too, has tickets to the Pop Warner Football League Banguet.

PUBLIC COMMENTS

William Bernstein of 420 Baker stated that the Councilmembers who are running for re-election this fall are the same ones who helped Terry McKane and Jim Blair get their retirement.

Betty Kost of 1425 McIntyre said that May 1, 1993 is Loyalty Day for the VFW. She asked that everyone participate in the program they will host on April 30, 1993 at 10:00 A.M. on the steps of the State Capitol building at the main entrance on Capitol Ave. Debbie Stabenow will be their guest speaker.

Lee Shunk, Jr. of 601 Leslie St. said there are three different lawyers on the dais. Mr. Knot, Mr. Canady, and Mr. Ford. Lawyers are trained from the beginning to concentrate on the definition of words. They may debate everything 50 different ways, but, all they really need to do is get out a dictionary and look up the meaning of the words they are debating.

Rudolph Castilla, Jr., Acting Chairperson of the Midwest Hispanic Institute announced that because of the death of Caesar Chavez, their March will now be a Memorial to him. Mr. Chavez was scheduled to be in Lansing to lead the march which kicks off the Cinco De Mayo celebration. He thanked the City Clerk's Office, Mayor's Office and the Attorney's Office for helping him obtain the waiver of the noise ordinance necessary for them to hold their festival. The parade will begin Sunday, at 12:30 P.M. in front of Torres Taco House on Grand River.

Justo Hernandes of 412 Spring St., spokesperson for the Poster Committee of the Midwest Hispanic Institute, thanked Council for the resolution of tribute to Mr. Chavez. He requested that the Flag be flown at half-mast this Thursday, April 29, 1993, the day of Mr. Chavez's burial service in California. They are asking Governor Engler to fly the State's Flag at half-mast also. Mayor Crawford responded that he would be honored to pay his respects in this manner to Mr. Chavez.

Russell Greear of 3801 Walton objected to Councilmembers leaving the meeting whenever they feel like it. They pop in and out of Chambers all of the time. He does not appreciate this and neither do the tax payers. He said the need for a traffic light at the Kroger Store at the intersection of Logan and Holmes is immediate. They needed it yesterday. He objected to JIMHO receiving a fee waiver for parking at Potters Park. He believes the City should investigate them to see if they should keep their funding.

Lloyd Teets of 116 E. Elm St., speaking on behalf of Concerned Citizens to Save Lansing, stated that he, along with the next 7 speakers, will use their speaking time to read from a letter written by former Mayor Graves regarding the Early Retirement plan.

Phyllis Herbert of 2708 Trappers Cove #3A continued to read from Mr. Graves' letter.

Tim Lewis of 500 S. Pine continued with the reading of Mr. Graves' letter.

Mary Massoglia of 2911 Cooley Dr. continued reading Mr. Graves' letter.

Russell Smith of 403 Roseadell continued the reading of Mr. Graves' Letter.

Steve Harry of 3125 Tecumseh River Dr. continued reading the letter from Mr. Graves.

Vivian Bloom of 227 S. Eighth St. continued with the reading of the letter from Mr. Graves.

Alexander Bolt of 1230 Reo Rd. completed the reading of the letter written by Mr. Graves regarding the Early Retirement Plan.

Gladys Gillison of 223 W. Barnes Ave. said that City Attorney Knot and his staff have always been very supportive and helpful to her. Mr. Knot, along with Sergeant Clyde Smith and one other LPD Officer stopped the spread of pornography in our city. Mr. Knot wrote a successful pornography ordinance that other cities have unsuccessfully tried to write. She thanked him for being here.

Paget Maynard of 902 W. Shiawassee invited everyone to the first anniversary of his Church, at the Black Child and Family Institute. He said that Mr. Abood's letter should be sent to the Ethics Board along with Mr. Walsh's letter.

Ammahad Shekarakki of 902 W. Willow said that Caesar Chavez stood tall when most people would not stand up for anything. This city, he said, needs new leadership. We have not been able to do anything about the crime rate, the homeless rate, or the unemployment rate.

Andrew Anthos of 208 W. Hillsdale St. said that Caeser Chavez was a great hero who made wonderful contributions to our Country. He has no respect for politicians, but he admires Councilmembers Beal and Ford.

Jim Bennington of 1318 Edward St. said the early retirement issue has divided the community long enough. It was a tough call and people are forgetting about the benefit to the city from it. Mayor McKane did not approve this plan only because of the added

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

benefit to him from it. He always put this city first, and the savings to the city were his first consideration. We have an excellent Council that provides excellent services.

April Batten, a resident of the Fourth ward attended tonight because it was required course work for a class she is attending. She is proud of Councilmember Ford for what he tried to do tonight. Times are changing and we need to change with them. They may find some benefit from the complaints of these people.

ADJOURNDED 10:20 P.M.

MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, May 3, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
May 3, 1993

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Canady

PRESENT: Councilmembers Belen, Benavides, Canady, Ford, Lilly, Schmidt

ABSENT: Councilmembers Beal, Brockwell, Council President Canady left the meeting at 8:05 P.M.

The Invocation and Pledge of Allegiance were led by Councilmember Benavides

CONSIDERATION OF LATE ITEMS

By Councilmember Belen

To accept the following under suspension of the rules:

1/ From Councilmember Belen, a request that the rules be suspended to allow Judge Allen to make a presentation regarding the Turner/ Dodge House Master Plan during the first public comment portion of the agenda

2/ From Councilmember Lilly, a request that Items XII D-1 and XII D-2, Resolutions setting Public Hearings for SLU-02-93 and SLU-03-93 be pulled from the agenda

3/ From Councilmember Schmidt, a letter from Roland A. Morse of 538 Glendale regarding fees from Mercy Ambulance service

4/ From Councilmember Schmidt, a letter from the Planning Department regarding the Spring 1993 City Beautification Program

5/ From Councilmember Benavides, a resolution recognizing Non-Profit status for The Association of Junior Athletes

6/ From Councilmember Benavides, a resolution from The Greater Lansing Housing Coalition regarding the acquisition, rehabilitation, and management of 20 housing units for the homeless

7/ From Councilmember Benavides, a request that the rules be suspended to allow a delegation from the Oak Park area to speak during the first Public Comment portion of the agenda

8/ From Councilmember Benavides, a request for change of intent from the Mayor's Office for the Public Service Department

Carried unanimously

SCHEDULED PUBLIC HEARINGS

There were no Scheduled Public Hearings

PUBLIC COMMENT

Russell Greear of 3801 Walton protested the waiver of parking fees at Potter Park Zoo for the Justice in Mental Health Organization (JIMHO).

Willa P. Boyd of 427 S. Fairview spoke in defense of the JIMHO organization. Mr. Greear, she said is mad at them because he has been banned from their offices. Her daughter works for them and has been the target of racial slurs by him.

Judge Allen, a retired Court of Appeals Judge, stated that he is appearing on behalf of the Master Plan for the preservation of the Turner Dodge House. The architect of the plan will be pleased to present the plan to City Council. By motion of Councilmember Lilly and unanimous vote the City Council approved a plan to schedule a special Committee of the Whole meeting at the Turner Dodge House to see the presentation of the Master Plan within the next 2-3 weeks.

Joan Walker of 1118 W. Ionia St. spoke regarding her claim against the city. What she was charged was not fair. They moved the lumber they were asked to move. She and her husband had no control over what happened. She did not place these items in her yard and does not feel she should have to pay any fees for cleaning them up.

Evelyn Glowake of 824 E. Genesee St. in the Oak Park area protested the Red Cross center being located in her neighborhood. The City needs to move these homeless people out away from Oak Park. She requested that toys and playground equipment be put in the park for kids. The entire park needs a lot of repair. The curbing is all crumbling away. Mayor Crawford said that his office would begin looking at these problems tomorrow morning.

Frank Curtis "X" of 1137 W. Allegan said that Mr. and Mrs. Walker should not have to pay for something that is not even their fault. He criticized Councilmember Ford for failing to take care of Mrs. Walker. Councilmember Ford said this case is a violation of City Ordinance. The Walker's received all of the proper notices and were reinspected within the proper time frame. They reduced the amount of her assessment as much as they could.

Lloyd Teets of 116 E. Elm St. said the Walker claim is because of a lack of proper communication in the Building Safety Division. An automobile knocked her porch off and she was cited to remove the debris and put it someplace else. She did remove the debris. The Building Safety Division treats people badly. He asked if Riverpoint Park is part of the Riverpoint Development Plan. Councilmember Lilly answered that it is. Mr. Teets said that he believes this park could be part of a large development in the future because of its' isolation. There are totally unqualified people sitting on the Demolition Board.

Harold Leeman of 529 N. Francis asked if the car that hit the Walker house got away. Does anyone know who owned it, or did they get a license number? The City should go after the person who hit the porch instead of making the Walkers pay. He asked to be given figures on the cost of the reorganization plan, and the labor contracts that will be approved tonight.

Tim Lewis of 500 S. Pine spoke regarding the approval of the Chaliman claim, denial of the public driver license for Paul Cassel

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

and approval of the public driver license for Walter Mixon.

Thomas Shield of 1118 Riley St. asked if the City has started charging the parking and entrance fees for Potter Park Zoo. Councilmember Schmidt said that they started charging as of April 1, 1993. Mr. Shields protested these fees being charged so early in the year. They should only be charged at peak times. It must cost more to keep an attendant out there than they take in during slow seasons. Councilmember Belen reported that this is all handled by Friends of the Zoo Society. Mayor Crawford said that his administration would review these issues and report back to Council.

Pam Stant of 601 N. Cedar asked that a Community Policing Officer be stationed at the Riverfront Apartments .

Gerald Huckaba of 5410 S. Waverly Rd. spoke in support of Ms. Stant's request for a Community Policing Officer at Riverfront Apartments.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Canady

Carried unanimously

A. Letter from Theodore and Frances Ryan of 2344 Tecumseh River Drive regarding problems they have experienced with water in the basement of their home

REFERRED TO THE MAYOR

B. Z-03-93, Petition for Rezoning for 3104 S. Cedar Street from D-1 Professional and E-2 Local Shopping District to F Commercial District filed by Don Japinga of 1246 Fernwood, East Lansing

REFERRED TO THE MAYOR AND THE PLANNING BOARD

C. Letter from Gerald W. Graves of 1623 S. Genesee Drive regarding Councilmember Ford's Remarks at the April 12th Council Meeting

RECEIVED AND PLACED ON FILE

D. Letter from Frances Tyler of 453 E. Edgewood Blvd., #C asking for a Reply to her Requests that the Committee of the Whole Meetings be Televised

REFERRED TO THE COUNCIL PRESIDENT

E. Claim Appeal received from Vickie Sampson of 5930 Orchard Court

REFERRED TO THE CITY ATTORNEY AND
THE COMMITTEE ON GENERAL SERVICES

F. Request for Non-Profit Status received from the Lansing Regional Chamber of Commerce for a raffle during the "LANSING OPEN" Golf Tournament

REFERRED TO THE CITY ATTORNEY

G. Freedom of Information Request received from Paul M. Scott requesting an Actuarial Report

REFERRED TO THE CITY ATTORNEY

H. Request for a Transfer of a Commercial Facilities Exemption Certificate (#84-016) from Long Development to Lansing Clarion Limited Partnership

REFERRED TO THE COMMITTEE ON
ECONOMIC DEVELOPMENT AND THE MAYOR

I. Annual Report for 1992 Received from Ingham County Drain Commissioner Patrick Lindemann

RECEIVED AND PLACED ON FILE

J. Letter from the Department of Natural Resources regarding Pretreatment Compliance Inspect at Lansing Wastewater Treatment Plant, NPDES Permit No. MI 0023400

REFERRED TO THE MAYOR

K. Petition requesting security for Riverfront Towers received from Pamela Stants of 601 N. Cedar Street (signed by 130 residents of Riverfront Towers)

REFERRED TO THE MAYOR

L. Press Release received from the Lansing School District regarding North Central Association Accreditation

RECEIVED AND PLACED ON FILE

M. Petition from 11 Residents of Valencia/Logan St. Area Requesting Construction of Curb & Gutters

REFERRED TO THE MAYOR

MAYOR MAY COMMENT

Mayor Crawford reviewed his letters on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. **RESOLUTION #241**

April 30, 1993
President Canady and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Timothy D. Hoot, Randall G. Glumm, Jack H. Woodward, James Aimery, Marshall Smith, Frances Miller, Patrick Mayer, Chris M. Jensen, John L. Terberg, Frank V. Austin II, Jack Anderson, Robert Parisian, Russell G. Swinford
SHOW LICENSE: Elliott Amusement Co., Inc.

Sincerely,
Marilynn Slade, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously, Council President Canady absent for the vote on this item

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

B.Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of April 26, 1993 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1. Appointment, of Janice M. Eschbach to the Mayor's Citizens Advisory Committee on Recycling

RECEIVED AND PLACED ON FILE

2. Change of Intent—City Clerk's Office

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

3. Preservation Master Plan for the Turner-Dodge House

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT AND THE COMMITTEE ON WAYS AND MEANS

4. Resolution regarding Donation of Easement for River Trail

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

COMMITTEE REPORTS

RESOLUTION #242
THE COMMITTEE ON WAYS AND MEANS, to whom was referred the request from the Justice In Mental Health Organization to waive Potter Park Parking Fees for repeat entry to the park in conjunction with their annual picnic,

REPORTS AS FOLLOWS: The Committee was informed that this request can be accommodated administratively. Follow-up by Council Staff indicates that the issue has already been resolved to the satisfaction of everyone involved, and that vehicles repeatedly entering Potter Park will be charged only one parking fee for the day. The Committee thanks the Mayor and Parks Director for their response to this request.

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

That the Report of Committee be received.

May 3, 1993.

By Councilmember Benavides

Carried unanimously, Council President Canady absent for the vote on this item

RESOLUTION #243
THE COMMITTEE ON WAYS AND MEANS, responding to the request of the Internal Auditor for a change of intent to purchase a dictaphone to more efficiently handle work load,

REPORTS AS FOLLOWS: Internal Audit and Council staff were reduced by 3 full time positions resulting from the "reduction in force." Use of a dictaphone would facilitate handling of correspondence and reports, helping remaining staff to assimilate necessary work load. The cost of the dictaphone is estimated at approximately $600.

As this item was not identified for acquisition in the Fy 1992-93 budget, standing policy requires approval by City Council prior to purchase. The committee recommends approval for purchase of a dictaphone, through use of residual funds, by City Council.

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt

BY COUNCILMEMBER BENAVIDES: That the report of the Committee be approved.

CARRIED UNANIMOUSLY, COUNCIL PRESIDENT CANADY ABSENT FOR THE VOTE ON THIS ITEM

May 3, 1993

RESOLUTION #244
THE COMMITTEE ON WAYS AND MEANS, to whom was referred the request of the administration for a change of intent for use of residual equipment and capital improvement funds, within the Sewage Fund, to begin Phase I of repairs to the Westside Interceptor,

REPORTS AS FOLLOWS: The purpose of the requested change of intent is to make necessary repairs to allow the Scott Park pump station to operate at full capacity. As the Westside Interceptor was originally designed as a gravity main, and was subsequently changed to a force main during new Wastewater Plant construction, design deficiencies result in blow-out from manholes when the Scott Park station pumps at full load. The estimated cost of this phase of repairs to the Westside Interceptor is $250,000. Residual funds are available due to lower than anticipated equipment replacement costs, because funding for study of necessary changes in treatment of plant output ("residuals") has been approved for funding within the CSO program, and because a study of alternatives to use of chlorination for disinfection of plant effluent was accomplished at lower cost than originally budgeted. The identification of funds for needed repairs was incorporated in FY 1993-94 budget planning and reflected in the forecast of operations.

As proposed Westside Interceptor repairs were not funded within the Fy 1992-93 budget, standing policy requires Council approval. The Committee recommends approval of a change of intent, for use of residual Capital Improvements and Equipment funds to implement Phase I repairs, by the City Council.

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

That the report of the Committee be approved.

CARRIED UNANIMOUSLY, COUNCIL PRESIDENT CANADY ABSENT FOR THE VOTE ON THIS ITEM

May 3, 1993.

RESOLUTION #245
THE COMMITTEE OF THE WHOLE

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

TO WHOM WAS REFERRED: The Letter from Ms. Pamela Stants requesting security for Riverfront Towers.

REPORTS AS FOLLOWS: The Comnittee felt that this request could be resolved positively within the Administrative process, therefore, the attached letter is being referred to the Mayor.

SIGNED

BY COUNCILMEMBER FORD

That the report of the committee be adopted.

CARRIED UNANIMOUSLY, COUNCIL PRESIDENT CANADY ABSENT FOR THE VOTE ON THIS ITEM

RESOLUTION #246
THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED: The River Point Development Plan

REPORTS AS FOLLOWS: The Comnittee accepted the plan as approved by the Lansing Planning Board. The Committee recommends that the plan be received and placed on file. Council action is not necessary at the present time

SIGNED

BY COUNCILMEMBER LILLY

That the report of the committee be adopted.

CARRIED UNANIMOUSLY, COUNCIL PRESIDENT CANADY ABSENT FOR THE VOTE ON THIS ITEM

RESOLUTION #247
THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED: The Final Statement of Community Development Objectives and Projected Use of Funds For Fiscal Year 1993-94."

REPORTS AS FOLLOWS: The Committee extensively reviewed the proposed budget as recommended by the Mayor. Concerns were raised regarding the past practices concerning expenditures in several of the projects. The Director of Municipal and Neighborhood Development assured the Committee that these types of practices would not continue in the future. The Committee also recognized that the $1.4 Million from the President's Economic Stimulus Package is not currently available. However, the projects should remain identified in the proposed budget in case a compromise package is developed and approved by Congress.

Based upon the above information, the Committee approved the final statement and referred it to the Committee of the Whole.

SIGNED

BY COUNCILMEMBER LILLY

That the report of the committee be adopted.

CARRIED UNANIMOUSLY, COUNCIL PRESIDENT CANADY ABSENT FOR THE VOTE ON THIS ITEM

RESOLUTIONS

RESOLUTION #248
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Joe L. and Joan H. Walker filed a claim against the City in the amount of $312.25 in protest of a special assessment for a trash removal from their rental property located at 1128 West Ionia; and

WHEREAS, after investigation and analysis, the City Attorney's staff recommendation was to deny the claim, and the Claims Review Committee denied the claim on March 3, 1993; and

WHEREAS, the claimants appealed the denial to the City Council, and the claim and the legal recommendation were reviewed by the Committee on General Services; and

WHEREAS, the claimants appeared before the Committee, furnishing testimony and evidence in support of the claim; and

WHEREAS, under the particular circumstances of this situation, the Committee finds that the City has no legal obligation to the claimants but recommends that the claim be settled by offering to remove the contractor's charge from the special assessment;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby offers to settle the claim of Joe L. and Joan H. Walker by reducing the trash removal special assessment to $190.00; and

BE IT FURTHER RESOLVED the Clerk is requested to forward a copy of this resolution to the City Attorney for action; and

BE IT FURTHER RESOLVED if the claimants do not contact the City Attorney to indicate acceptance of this offer by 5:00 PM on Friday, May 14, 1993, this claim shall be considered denied.

May 3, 1993

By Councilmember Ford

Carried unanimously, Council President Canady absent for the vote on this item

RESOLUTION #249
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Willie S. Chaliman filed a claim against the City in the amount of $479.23 for replacement of his cemetery marker at Evergreen Cemetery, alleging that the marker was severely damaged by City personnel during maintenance operations; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the Claims Review Committee concurred with the staff recommendation and denied the claim; and

WHEREAS, the claimant appealed the denial to the City Council, which referred the claim to the Committee on General Services for investigation; and

WHEREAS, the claimant appeared before the Committee, furnishing testimony and evidence in support of the claim, and amending the amount of the claim to reflect an increase in the replacement price of his marker to $614.64; and

WHEREAS, under the particular circumstances of this situation, the Committee recommends approval of the claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

hereby approves the claim of Willie S. Chaliman in the amount of $614.64; and

BE IT FURTHER RESOLVED the Clerk is requested to forward a copy of this resolution to the City Attorney for action; and

BE IT FINALLY RESOLVED the City Attorney is directed to make payment of this amount after appropriate releases are signed by the claimant.

May 3, 1993

By Councilmember Ford

Carried unanimously, Council President Canady absent for the vote on this item

RESOLUTION #250
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Paul E. Cassel has applied for renewal of his City public driver license; and

WHEREAS, a routine records check by the Lansing Police Department showed that Mr. Cassel's driving record had six or more points at the date of application, and therefore the Chief of Police has recommended denial of the City license in accordance with Section 872.23(b)(3)(B) of the City Code; and

WHEREAS, the City Attorney's office conducted a hearing to determine the facts of the case, proposed a finding of fact based upon the testimony that cause exists under the ordinance for denial of said applicant, and has proposed that the basis for the Police Chief's recommendation to deny be upheld as valid; and

WHEREAS, the Committee on General Services has reviewed the applicant's record and the transcript of the hearing; and

WHEREAS, the Committee concurs with the Police Chief's recommendation;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the recommendation of the General Services Committee to deny the application of Paul E. Cassel for renewal of his City public driver license; and

BE IT FURTHER RESOLVED, upon adoption of this resolution the City Clerk shall notify the applicant of the Council's findings and conclusion.

May 3, 1993

By Councilmember Ford

Carried unanimously, Council President Canady absent for the vote on this item

RESOLUTION #251
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Walter Lee Mixon has applied for renewal of his City public driver license; and

WHEREAS, a routine records check by the Lansing Police Department showed that the applicant had been convicted of a felony within five years of the date of application, and therefore the Chief of Police has recommended denial of the City license in accordance with Section 872.23(b)(6) of the City Code; and

WHEREAS, the City Attorney's office conducted a hearing to determine the facts of the case, proposed a finding of fact based upon the testimony that cause exists under the ordinance for denial of said applicant, and has proposed that the basis for the Police Chief's recommendation to deny be upheld as valid; and

WHEREAS, the Committee on General Services has reviewed the transcript of the hearing, heard additional testimony from the applicant and his attorney, and concluded that the circumstances of the felony conviction are not sufficient to deny this application for public driver license;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the recommendation of the General Services Committee to grant renewal of a City public driver license to Walter Lee Mixon.

May 3, 1993

By Councilmember Ford

Carried unanimously, Council President Canady absent for the vote on this item

Item XII A-5, Resolution of Approval of Cabaret License for Dreamgirls was referred to the Committee of the Whole by Motion of Councilmember Ford and unanimous roll of Councilmembers

RESOLUTION #252
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has recommended a City-wide reorganization in response to the 1993 Reduction in Force program of Early Retirement incentives; and

WHEREAS, the City Council has reviewed and approved the provisions of that reorganization proposal;

NOW, THEREFORE, BE IT RESOLVED, the City Council authorizes the Administration to process the necessary administrative transfers for salaries, fringe benefits, and related expenses, where expenses are projected to be in excess of initial appropriations, as a result of the implementation of the reorganization.

By Councilmember Benavides

Carried unanimously, Council President Canady absent for the vote on this item

RESOLUTION #253
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing and the Fraternal Order of Police—Supervisors, Local #141, have jointly accepted the results of binding arbitration under State of Michigan Act 312, for a labor agreement for the period January 15, 1992, through January 15, 1994; and

WHEREAS, provisions of the arbitration award have been forwarded by the Mayor to the City Council;

NOW, THEREFORE, BE IT RESOLVED, the City Council authorizes

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

the Administration to process the necessary administrative transfers for salaries, fringe benefits, arbitration and fact-finding expenses, where expenses are projected to be in excess of initial appropriations.

By Councilmember Benavides

Carried unanimously, Council President Canady absent for the vote on this item

RESOLUTION #254
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing and the Fraternal Order of Police—911 Operators, Local #141, have jointly accepted the results of binding arbitration under State of Michigan Act 312, for a labor agreement for the period July 1, 1990, through June 30, 1993; and

WHEREAS, provisions of the arbitration award have been forwarded by the Mayor to the City Council;

NOW, THEREFORE, BE IT RESOLVED, the City Council authorizes the Administration to process the necessary administrative transfers for salaries, fringe benefits, arbitration and fact-finding expenses, where expenses are projected to be in excess of initial appropriations.

By Councilmember Benavides

Carried unanimously, Council President Canady absent for the vote on this item

RESOLUTION #255
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

$12,714.98 from Est. Rev. A/C 101-0-170001-0
(District Court Gross Revenues A/C 101-0-666100-0)

12,714.98 to Dist. Ct. Exp. A/C 101-132200-992200-0

$12,714.98 from Est. Rev. A/C 760-0-170001-0
(District Court: State Aid Caseflow Assistance A/C 760-0-545001-0)

12,714.98 to Dist. Ct. Bgt. Ctrl. A/C 760-132201-992200-0
(Memo Account 760-132201-977000-0)

Submitted by:
Douglas Rubley, Interim Finance Director

I hereby certify that funds are available.

By Councilmember Benavides

Carried unanimously, Council President Canady absent for the vote on this item

Item XII B-5, Resolution Approving Administrative Transfers was pulled from the Agenda at the Request of Councilmember Benavides

RESOLUTION #256
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Resolution #162, adopted March 15, 1993, sets an annual square foot rental rate of $13.50 effective through April 30, 1993, and

WHEREAS, the Mayor has requested that this rate be continued until such time as the new non-profit management board assumes management of the Municipal Market, anticipated to be by July 1, 1993.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby extends the current rental rate of $13.50 per square foot per year for space in the Municipal Market until such time as the new management board assumes management responsibilities for the Market.

By Councilmember Benavides

Carried unanimously, Council President Canady absent for the vote on this item

May 3, 1993

Item XII D-I, Resolution setting a public hearing for May 17, 1993 in consideration of SLU-02-93, 911 W. Hillsdale St., was pulled from the agenda at the request of Councilmember Lilly

Item XII D-2, Resolution setting a Public Hearing for May 17, 1993 for SLU-03-93, 300 East Michigan Avenue, was pulled from the agenda at the request of Councilmember Lilly

RESOLUTION #257
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing desires to encourage and support shopping and commercial activity in the downtown business area by improving and maintaining the Washington Mall and Environs area; and

WHEREAS, the City of Lansing desires to insure a clean and orderly appearance of the public malls and walks areas by providing planter tub maintenance, special clean up employees, mechanical sweeping operations, snow clearing, and snow ridge cut throughs; and

WHEREAS, the City of Lansing has determined that various promotional efforts of the Downtown Merchants Association need to be supported by providing holiday decorations throughout Districts 1 and 2; and

WHEREAS, the City of Lansing has determined that this should be provided through special assessment districts established for special assessment; and

WHEREAS, the City of Lansing has determined that a portion of the costs of providing such services should be recovered by a special assessment of them against properties especially benefitted as authorized by 1984 PA 260 and Chapter 1026.08 (a-f) of the Lansing Code of Ordinances; and

WHEREAS, the Downtown Mall and Environs Advisory Board has reviewed and proposed special assessment district boundaries involving two maintenance areas; and

WHEREAS, the Downtown Mall and Environs Advisory Board has proposed specific services within each district along with the estimated costs for these services; and

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

NOW, THEREFORE BE IT RESOLVED that two (2) special assessment districts for maintenance be established by the City Council as follows:

District 1. Beginning at the intersection of N. Capitol and W. Shiawassee, E. on Shiawassee (S. side only) to N. Grand Avenue, S. on Grand Avenue (W. side only) to Lenawee Street, W. on Lenawee (N. side only) to S. Capitol Avenue, N. on Capitol Avenue (E. side only) to point of beginning; also Washington Square from Shiawassee (both sides) S. to Lenawee Street; also the following East and West Streets from Capitol Avenue to Grand Avenue (both sides) Ionia, Ottawa, Michigan Avenue, Allegan, Washtenaw and Kalamazoo.

District 2. Beginning at the intersection of N. Grand Avenue and E. Shiawassee, E. on Shiawassee (S. side only) to N. Cedar Street, S. on Cedar Street (W. side only) to Kalamazoo Street, W. on Kalamazoo (N. side only) to the intersection of S. Grand Avenue, N. on Grand Avenue (E. side only) to point of beginning; also Michigan Avenue (both sides) from Grand Avenue to Cedar Street; also Museum Drive (W. side only) from Michigan Avenue South six hundred eighty (680) feet; also River Street (both sides) beginning at the intersection of Kalamazoo Street to the intersection of Washtenaw Street; also S. Grand Avenue (E. side only) from Lenawee St. to Kalamazoo St.

BE IT FURTHER RESOLVED, that the maintenance services within each district along with the estimated costs for these services plus the city's estimated administrative overhead be recovered by a special assessment of these costs against the properties especially benefitted as follows:

District 1—Fifty percent of the costs of planter tub maintenance, and one hundred percent of the costs of special cleanup employee responsibilities, snow clearing, mechanical sweeping, holiday decorations and administrative overhead for those services required either on the Washington Mall sidewalk areas (estimated cost of $61,841) or on the sidewalk areas off the Washington Malls (estimated cost of $69,435.50); and

District 2—One hundred percent of the costs of special clean up employee responsibilities, snow clearing and mechanical sweeping, holiday decorations and administrative overhead for those services required on the sidewalk areas (estimated cost of $37,183); and

BE IT FURTHER RESOLVED, that the City Assessor is requested to prepare an assessment roll assessing all properties on the basis of each property's total front footage for those services specifically provided for in that area of the district; and

BE IT FURTHER RESOLVED, that the special assessment roll be subscribed by the City Assessor and returned to City Council on or before May 24, 1993; and

BE IT FURTHER RESOLVED, that a public hearing to confirm the special assessment roll will be held on Monday, May 24, 1993, at 7:00 P.M., in the City Council Chamber, 10th floor, City Hall, Lansing Michigan; and

BE IT FINALLY RESOLVED, that the City Clerk publish notice of hearing to confirm the special assessment roll in a newspaper of general circulation for five (5) consecutive days prior to the date of the hearing and the notice of confirmation hearing be mailed to each property owner or party of interest in property to be assessed.

5/03/93

By Councilmember Benavides

Carried unanimously, Council President Canady absent for the vote on this item

RESOLUTION #258
BY COUNCILMEMBER BENAVIDES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Association of Junior Athletes has requested non-profit status recognition from the Lansing City Council, and

WHEREAS, the City Attorney has reviewed the appropriate documents and by-laws and has determined that the Association of Junior Athletes qualifies as a non-profit corporation;

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Lansing hereby recognizes the Association of Junior Athletes as a non-profit organization.

Date: May 3,1993

By Councilmember Benavides

Carried unanimously, Council President Canady absent for the vote on this item

ORDINANCES FOR INTRODUCTION

Item XIII A-2, Introduction of Ordinance and Resolution setting Public Hearing for May 24, 1993 for an Ordinance Amendment to the Demolition Board, was pulled from the agenda and held for one week at the request of Councilmember Lilly

ORDINANCES FOR PASSAGE

By Councilmember Lilly

To table the Ordinance by the Committee on Physical Development for one week

Carried unanimously

TABLED ITEMS

Amendment to Chapter 264 for the purpose of Changing the Name of the Waterfront Development Board to the River and Waterfront Board, continuing the Existence of said Board, and Readopting Chapter 264

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Belen, a request that the rules be suspended to allow Judge Allen to make a presentation regarding the Turner/ Dodge House Master Plan during the first public comment portion of the agenda

THE RULES WERE SUSPENDED AND JUDGE ALLEN MADE A PRESENTATION DURING THE PORTION OF THE AGENDA RESERVED FOR COMMENT ON ACTION ITEMS

2/ From Councilmember Lilly, a request that Items XII D-1 and XII D-2, Resolutions setting Public Hearings for SLU-02-93 and SLU-03-93 be pulled from the agenda

THE RULES WERE SUSPENDED AND THE ABOVE NAMED TWO ITEMS WERE PULLED FROM THE AGENDA AT COUNCIL-

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

MEMBER LILLY'S REQUEST

3/ From Councilmember Schmidt, a letter from Roland A. Morse of 538 Glendale regarding fees from Mercy Ambulance Service

REFERRED TO THE CITY ATTORNEY

4/ From Councilmember Schmidt, a letter from the Planning Department regarding the Spring 1993 City Beautification Program

REFERRED TO CHANNEL 28 PROGRAMMING DIRECTOR

5/ From Councilmember Benavides, a resolution recognizing Non—Profit status fro the Association of Junior Athletes

HANDLED AS RESOLUTION #255

6/ From Councilmember Benavides, a resolution from the Greater Lansing Housing Coalition regarding the acquisition, rehabilitation, and management of 20 housing units for the homeless

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

7/ From Councilmember Benavides, a request that the rules be suspended to allow a delegation from the Oak Park area to speak suring the Special Ceremonies portion of the agenda

THE RULES WERE SUSPENDED AND EVELYN GLOWAKE SPOKE DURING PUBLIC COMMENT ON ACTION ITEMS

8/ From Councilmember Benavides, a request for change of intent from the Mayor's Office for the Public Service Department

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

MOTION OF EXCUSED ABSENCE

By Councilmember Ford

To excuse Councilmembers Beal, Brockwell, and Canady from tonight's meeting

Carried unanimously

MAYOR'S COMMENTS

Mayor Crawford said that the city had obtained a restraining order on the adult entertainment establishment on N. Logan St. and has now received an injunction to keep the establishment closed unless they comply with the law. He thanked the neighborhood groups for working with the city on this. He thanked Council, the Budget Department staff, and all other City Departments for their work on the City's FY 93-94 budget.

COUNCILMEMBER'S COMMENTS

Councilmember Ford said that Council needs to monitor the $120,000 Neighborhood Budget. They were accused of being obstructive, but this is not true, they were just trying to find out how the money would be used. The amount of the City Market subsidy should decrease in coming years. June 21, 1993 is the date of the first annual Magic Johnson Golf Outing. It will start at 12:00 noon. They are still looking for volunteers, anyone interested may call 483-4190.

Councilmember Lilly chronicled the issues facing the city in the last four months. He indicated his support of the effort by Andrew Anthos to light the dome of the State Capitol in the colors of the American Flag to commemorate American Veterans on holidays. The Council, he said, has taken major steps in the last four months to change the direction of the City.

Councilmember Schmidt said that the Tri-County Office on Aging is looking for volunteers to deliver meals to the home-bound. Interested persons may call 483-4150 and ask for Nancy. Regarding the petition for rezoning at 3104 S. Cedar, this property is across the street from Jon's Country Burger, she said. The owner is trying to rezone the property to allow for commercial sales.

Councilmember Belen said that the Council has accomplished many things in the past. They have a national reputation for being tough on adult entertainment. This ordinance has cost approximately $350,000 to date. We also have one of the toughest drug ordinances that puts the onus on landlords to make sure they are renting to responsible law abiding citizens. The city has successfully litigated this ordinance in court. They are trying to clean up this city and make it a better place to live. She announced that the City Council will have a team at the Camp Highfield Spelling Bee at Kellogg Center this Wednesday evening at 5:00. The May 5, 1993 meeting of the Cable Advisory Board has been canceled. Their next meeting will be held on June 2, 1993.

CITIZENS COMMENTS

Tim McBride DeCoughlin of 328 S. Magnolia announced that he is running for Councilmember At-Large. The blue telephones in the Police Department are impossible to use. He was arrested because he was assaulted and the police refused to allow him medical attention.

William Bernstein of 420 Baker St. spoke regarding his conflict with the Building Department. Council Chambers, he said, were bought and paid for by the citizens of the city.

Lee Shunk of 601 Leslie St. said that he wants the issue of the rules of procedure for the Ethics Board to go to court so that the intent of the present rules can be clarified. The city should be regulating the use of adult entertainment businesses instead of trying to remove them from society. They will just go underground and then there will be no control over them at all.

Paulo Godrillo of 3118 Scarborough said that he is working to establish a memorial in observance of Caesar Chavez's birthday which is March 31. They would like to dedicate a street to him. To the people of the Mexican community he is the equivalent of Dr. Martin Luther King, Jr.

Ken Vaughan of 114 Garden St. spoke regarding the claim of Mr. and Mrs. Walker. He asked for the criteria for what constitutes a fire hazard. When an ordinance and the enforcement of an ordinance is more important than the people it serves it should be amended to allow for consideration because of special circumstances, such as the Walkers.

Russell Greear of 3801 Walton Dr. said that the playground equipment at Ingham Park is totally destroyed and there is glass all over the park. He was advised by the Parks and Recreation Department today that it would take a year for the park to be repaired. There is a large pothole in the middle of the intersection of Ranier and Lenore Streets. He reported hearing a lot of complaints of water seepage into basements because drains are not cleaned regularly. Tax payers deserve the services their tax dollars are supposed to be paying for.

Mary Massoglia of 2911 Cooley Drive read from a letter from former Mayor Gerald Graves.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Tim Lewis of 500 S. Pine continued reading from the letter from former Mayor Graves. Councilmember Ford protested the allegations that he has used his office holder's account improperly. These expenditures must be approved before the checks can be cut. He spends a lot more than the $2,000 in his office holders account doing things for the City. When he spends this additional money, it comes out of his own pocket.

Alexander Bolt of 1230 Reo Rd. continued reading the letter from Gerald Graves, former Mayor of the City of Lansing.

Gerald W. Graves of 1623 S. Genesee said that Councilmember Ford made the statement that the previous letter written by him (Graves) was racial in nature. Councilmember Ford affirmed having made the statement that Mr. Graves was attacking only the african americans on Council. He considers Mr. Graves statements to be politically motivated.

Russell Smith of 403 Rosadell continued reading the letter from former Mayor Graves.

Phyllis Herbert of 2708 Trappers Cove continued reading the letter from former Mayor Graves.

Mary Haney of 1312 Roosevelt asked Council to take an interest in the new development in North Lansing. She asked if Councilmember Ford checked into the situation with Sergeant Clyde Smith as she asked him to do. Councilmember Ford said that this issue was referred to his committee and they are trying to get information, but they are hindered by the issue being in court. He spoke with the Smith family as recently as last Sunday and his committee will continue their investigation.

Lloyd Teets of 116 E. Elm objected to Councilmembers using public comment time to refute statements made about them. The presiding officer should exercise more control. On Wednesday, May 5, 1993 in Judge Stell's courtroom there will be a meeting on the early retirement system.

Ammahad Shekarraki of 902 W. Willow said that he does not have a political agenda, he is concerned about the average person and people who are homeless and have given up hope. Council is spending thousands of dollars to close down businesses because they do not agree with their purpose. The City still needs to establish a memorial to Malcom "X" and General Douglas.

Frank Curtis "X" of 1137 W. Allegan spoke in support of Sergeant Clyde Smith. He said the General Services Committee has a problem with turning down claims.

Joan Walker of 1118 W. Ionia questioned the procedures used by the Building Safety Department in the course of citing code violations. She and her husband were going to use the material they had stored from this accident to help rebuild their porch once their claim was settled. She does not feel she should have to pay this fee. The material was picked up from a different location than she was cited for. Councilmember Ford responded that the City's contractors are instructed to remove the debris, not clear it up.

Gerald Huckaba of 5410 S. Waverly Rd. invited Councilmember Benavides, his representative on Council, to come to his house and talk to him about what has been going on for five years.

Andrew Anthos of 208 W. Hillsdale thanked Councilmember Lilly for his support of the "Light the Dome" project. Perhaps this will gain support for him from other Councilmembers. Adult entertainment establishments are better than having someone who enjoys this type of thing go out into the streets and rape someone.

Tom Shields of 1118 Riley said he called City Hall recently and got an answering machine. Is the City so hard up that they cannot afford to hire someone to staff the phones? He remarked that there is a 42.5 absenteeism rate tonight by Councilmembers and representatives from the Mayor's Office. He has seen a lot of dirt and clutter outside of the stores in the Downtown Mall and has noticed that at night it is dark and dim because the trees need to be trimmed. Mall Maintenance should take this up.

Paget Maynard of 902 W. Shiawassee thanked everyone who circulated and signed his nominating petitions. He has received a notice that he is now on the ballot for August 3, 1993. He invited everyone to the first anniversary of the Berrien Adventist Church to be held at the Black Child and Family institute this Wednesday.

Harold Leeman of 529 N. Francis spoke regarding his statements last week regarding the topic of public comments. Everyone has a right to talk about whatever they want, but this is an old song. The Ethics Board is investigating the early retirement situation and so is the Court. Everyone who lives in this city knows this and there are other things to talk about, other issues to be dealt with. He thanked Mayor Crawford and his administration for cleaning up the abandoned cars at the corner of Pennsylvania and Oakland. He asked when the street sweepers will be out. There are a lot of leaves in curb areas. Regarding the Downtown Mall Maintenance contract, these workers are not responsible for cleaning store fronts unless the stores are vacant and then they only clean them every other Tuesday. Councilmembers expense accounts should be added to their salaries so no one can object to how they are spent.

ADJOURNED 10:20 P.M.

MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, May 10, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
May 10, 1993

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Canady

PRESENT: Councilmembers Beal, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

ABSENT: Councilmember Belen

The Invocation and Pledge of Allegiance were led by Councilmember Ford

MINUTES

By Councilmember Schmidt

To approve the Printed Proceedings of March 22, March 29, and April 5, 1993

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Benavides

To accept the following under suspension of the rules:

1/ From Councilmember Benavides; A Committee Report recommending a change of intent for the Public Service Department

2/ From Councilmember Benavides; A letter from Mayor Crawford recommending an allocation of $2,400 to the Black Child and Family Institute

3/ From Councilmember Benavides; A request that the rules be suspended to allow Council to take action on Item X D-3, under Letters from the Mayor, regarding Hazardous Waste Transportation

4/ From Councilmember Beal; A letter from Vivian Bloom of 227 S. Eighth St. suggesting alternatives for the clean-up and beautification of Lansing

5/ From Councilmember Beal; A Letter from Tom Powers, property owner at 109 N. Larch St. regarding the Lansing Building Authority's attempt to purchase his property

6/ From Councilmember Brockwell; A request that the rules be suspended to allow for a presentation regarding the "Michigan Parades Into the 21st Century" parade, and that Special Ceremonies be held directly following Consideration of Late Items

Carried unanimously

SPECIAL CEREMONIES

A. Mayor Crawford presented a proclamation declaring May 15-23, 1993 as Neighborhood Pride Week to Patricia Holmes, of the Lansing Neighborhood Council and Mary Margaret Murphy-Woll, of the Eastside Neighborhood Association.

B. Mayor Crawford introduced Duane Vernon, who made a presentation regarding the "Michigan Parades into the 2ist Century" parade which will be held Saturday, May 15, 1993.

SCHEDULED PUBLIC HEARINGS

A. In Consideration of:

1. City of Lansing FY 1993-94 Operating and Capital Improvements Budget

Lloyd Teets of 116 E. Elm St. said that the increase in property assessments translates into a 4.95% tax increase in the City. He protested that there are no allocations for the New Way In, or for housing assistance, yet we will take $650,000 out of the general fund to subsidize the Lansing Center. This money could put the parks police back into the parks.

Russell Greear of 3801 Walton said that citizens do not get enough services for the $15,000,000 Police Department Budget. Police do not provide protection to our kids, senior citizens, or handicapped. He asked what the $5,000,000 for Act 51 street repair would be used for.

Barbara Bradford of 2135 N. Cambridge thanked City Council for the subsidy for the City Market.

Glen Hills, President of the City Market Merchants Association, asked all of the City Market Merchants present to show their appreciation to City Council by standing. Approximately 5 merchants stood. He thanked Councilmember Beal for her efforts on their behalf, and asked for an additional ward Councilmember to be appointed to their board. They ask that the 1986 Transition Plan, which so devastated the Market, be reconsidered.

Harold Leeman of 529 N. Francis spoke regarding the Lansing Center subsidy, the automobile fleet for city employees, Councilmember's office holder accounts, and the City's lobbyist. He reminded Council that the Civic Center sale is scheduled to be culminated in October of 1993 and the City will realize $4,000,000.

Beverly Miller of the North Lansing Community Association said they want part of the $120,000 that is appropriated for the Lansing Neighborhood Council. How do you go about getting a portion of this money. There are a lot of empty buildings in North Lansing and a lot of businesses that need to be fixed up. The property assessments in the area are out of line. She has learned that the assessments are based on the selling price of properties in the area. These cannot be realistic. No one has been successful in selling a home. City Council needs to be sensitive to the toxic material being dumped in aquifers in North Lansing. They should be cleaning up this area.

Lee Shunk, Jr. of 601 Leslie St. said the citizens are getting a bare minimum of services from the Lansing Police Department. Their response time is slow, and the judgement of officers is bad. They

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

do not punish the perpetrators, they punish the victims. The City needs more Beat Cops. The curfew is not being enforced and people cannot sleep at night. They have to clean up beer cans and liquor bottles out of their yard every day.

REFERRED TO THE COMMITTEE OF THE WHOLE

2. City's Tax Rate, Including Millage Restoration under PA 5 of 1982, Truth in Taxation

There were no speakers for this Public Hearing

3. Community Development Block Grant Allocations Including Reprogrammed Funds from Previous Years

Councilmember Lilly explained last minute changes to the CDBG Budget.

Harold Leeman of 529 N. Francis asked if the $120,000 for Lansing Neighborhood Council is coming out of the CDBG Budget? Councilmember Benavides explained that it is coming out of the General Fund. Mr. Leeman asked what the Budget for the Neighborhood Council is. It was reported to be over $100,000. Councilmember Benavides responded that it is about $50,000. Mr. Leeman requested that Greg Koessel, Internal Auditor, oversee their budget and require them to submit regular quarterly reports. It is hard to see results from this organization. How much of this money is going to the administrators of the organization?

Paul Scott of 412 W. Kilborn spoke in defense of the Lansing Neighborhood Council. They have had no increase in their budget and no pay increases for over 3 years. They have one full time and two part-time employees who coordinate the use of CDBG funds in the City. He does not feel that this is money poorly spent.

REFERRED TO THE COMMITTEE OF THE WHOLE

PUBLIC COMMENT

Dick Baker, President of the Westside Neighborhood Association, asked that the resolution for City Beautification Week be amended to incorporate an immediate moratorium on the cutting down of trees. They would like a policy developed that would cut trees down as a last resort only. This neighborhood has seen over 100 trees cut down in the last nine months. They are asking that a "Save the Trees Committee" be established that will include the City Forester, an outside forester, the City Engineer and Neighborhood representatives. Their neighborhood now looks like a tract area.

Paul Novak of 1519 W. Kalamazoo requested that a "Save the Trees Committee" be established immediately, to examine the impact on the West side from removal of these trees. This was the first area to undergo construction of the Combined Sewer Overflow system, and they expect to see these results all over the city eventually. He requested that financing for the 7 Block Development Plan be assured.

Councilmember Schmidt said there could be some risk in adopting a tree cutting moratorium tonight. There may be some reason that they are experiencing tree cutting to this degree in that area. Placing an immediate moratorium on the cutting of trees could put contractors in this project at risk and stall the entire project. It does call for the Mayor's immediate attention, but they should look closely at it before passing a resolution. There must be a better explanation of what is going on than what they have heard tonight.

Councilmember Beal said that the discussion they have been hearing indicates that a moratorium should be examined.

Ed Eckart of 450 West St., member of the Westside Neighborhood Organization, said he supports the request for a moratorium on tree cutting. Last summer in the 600 block of West St. 6 trees were cut down with no notice. His wife investigated through the City Engineer's Office and was told that they were cut down by mistake. Last week the rest of the trees on this block were cut down. When they checked with the City Forester, they were told that he was not consulted in regards to the cutting of these trees and did not even know they were being cut down. Subsequent to this conversation, he talked to the City Engineer who afforded him every consideration and changed his intent to cut the remaining trees down. The employees in the Engineer's Office treated he, and his wife, very courteously and did what they said they would do. He offered them his commendations.

Council President Canady said he would be in favor of a moratorium until they find out what is going on.

Mayor Crawford stated that he would issue a directive tomorrow morning placing a moratorium on the cutting of any more trees. He was unaware that this was going on.

Councilmember Benavides asked who is cutting these trees down? Are the Contractors on the CSO project cutting these trees down with disregard to what the City wants?

Russell Greear of 3801 Walton asked how many trees would be chopped down tonight while this meeting takes place. He demanded concrete evidence that a moratorium will be in effect tonight on cutting these trees down.

Lloyd Teets of 116 E. Elm St. asked what the change of intent for the City Clerk's Office is for. Councilmember Benavides explained that it is for the purchase of computer equipment.

Margie Ojibway from Ward 4, Precinct 11 said that trees are essential. Some people need help cleaning up the debris from their trees because they cannot clean it up themselves. The empty buildings on the North end should be utilized for low cost housing.

Vivian Bloom of 227 S. Eighth St. said that one week for the beautification of Lansing is not enough. She knows too many low income people who desperately need their houses painted both outside and inside. She can present a list of names if Council is interested.

Harold Leeman of 529 N. Francis said that City Council does not need to review the rules of procedure for the Election Commission. He thinks there are private agendas going on in relation to the Ethics Board. The Seven Block Area resolution does not have the "NOW BE IT FINALLY RESOLVED" section that it should contain. The Lansing Neighborhood Council should have reported the situation with the trees being cut down. Why do 89 trees have to be cut down before someone comes down here?

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be Considered as being read in full and that the proper referrals be made by President Crawford

Carried unanimously

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

A. Z-04-93, 619 E. Michigan Ave. request for rezoning from "H" Light Industrial to "G-1" Business District with Residential Uses filed by Harry H. Hepler of 113 Pere Marquette

REFERRED TO THE MAYOR AND THE PLANNING BOARD

B. Petition signed by 20 residents in the area of Newark, Piper & Webster protesting Z-02-93, 6066 and 6070 Dr. Martin Luther King, Jr. Blvd./Logan St.

REFERRED TO THE MAYOR AND THE COMMITTEE ON PHYSICAL DEVELOPMENT

Councilmember Benavides requested that Mayor Crawford instruct the Planning Department to have a Community meeting prior to the Physical Development Committee taking this item up. Councilmember Lilly offered to hold this item off of the Physical Development Committee agenda until the Community meeting has taken place.

C. Request for Non-Profit Status from the Voluntary Action Center of Greater Lansing located at 6035 Executive Drive, Suite 105

REFERRED TO THE CITY ATTORNEY

D. Letter from Lee E. Shunk, Jr. of 601 Leslie St. regarding pornographic uses in the City

RECEIVED AND PLACED ON FILE

E. Notice from the State of Michigan Public Service Commission of a hearing for the customers of Consumers Power Company, Case No. U-9960-R, on May 19, 1993

RECEIVED AND PLACED ON FILE

F. Letter from Andrew Anthos, project coordinator of D.O.M.E. requesting the support of the Committee of the Whole for his "Dome Lighting" project

REFERRED TO THE COMMITTEE OF THE WHOLE

G. Notice from the State of Michigan Department of Treasury regarding 1993 Millage Requests and Millage Rollback Procedures

REFERRED TO THE MAYOR

MAYOR'S COMMENTS

Mayor Crawford outlined his letters on tonight's agenda. Please refer the issue of the tree cutting moratorium to the Committee on Physical Development of immediate policy development.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. **RESOLUTION #259**
May 10, 1993
President Canady and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

CABARET: Bonnie's Place
PUBLIC DRIVER: Korissia Lynn Gordon, Charles D. Southwell, Randy D. Huddelson, Gary Lee Yockey, James R. Walker, Richard F. Pratt, Richard E. Stead, Robert L. Troub, Ray M. Holmer, James E. Simpson, Harry G. Letts, Jr., Randall B. Lakin, Jimmie A. Swanson, David Alan Queen, Lloyd A. Klotz, Marion L. Rainsberger, Tommy L. Riddle

Sincerely,
Marilynn Slade, City Clerk
City of Lansing, MI

By Councilmember Schmidt

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

1. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of May 3, 1993 for Review

RECEIVED AND PLACED ON FILE

2. Letter from the City Clerk Submitting the Proposed Rules of Procedure for the Election Commission

REFERRED TO THE COMMITTEE OF THE WHOLE

C. Letter from the Greater Lansing Convention/Exhibition Authority submitting their Interim Financial Statements for the quarter ending March 31, 1993

REFERRED TO THE MAYOR AND THE COMMITTEE ON WAYS AND MEANS

D. Letters from the Mayor re:

1/ Maintenance Agreement—MDOT/City of Lansing

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

2/ Grant Extension—FY 93-94 Auto Theft Prevention Authority

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

RESOLUTION #260
TO: Council President Mark Canady and City Councilmembers
FROM: James A. Crawford, Mayor
DATE: May 7, 1993
SUBJ: Hazardous Material Transportation Uniform Safety Grants

The attached resolution is being submitted with my concurrence for your review and appropriate action.

By Councilmember Benavides

To accept the Recommendations of the Mayor and place an affirmative roll on the Resolution for Grant Acceptance of the Hazardous Materials Transportation Uniform Safety Act Planning Grant.

Carried unanimously

RESOLUTION #260a
BY THE COMMITTEE ON WAYS AND MEANS

WHEREAS, the Hazardous Materials Transportation Uniform Safety Act (HMTUSA) makes available to the US Department of Transportation funds for planning grants to Local Emergency Planning Committees; and

WHEREAS, the Lansing Local Emergency Planning Committee meets the eligibility requirements to apply for a planning grant; and

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

WHEREAS, the State Police Emergency Management Division, who serve as the state pass-through agent for such funds, have determined that a formal grant agreement is necessary for receipt of these funds; and

WHEREAS, the City expects to receive up to $627 for FY 93/94 to support LEPC expenses, as indicated in the grant agreement; and

WHEREAS, the Mayor has recommended acceptance of this grant;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approve acceptance of the Hazardous Materials Transportation Uniform Safety Act Planning Grant.

By Councilmember Benavides

Carried unanimously

RESOLUTION #261
THE COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the proposed ordinance to amend Chapter 264 of the Lansing Code of Ordinances for the purpose of changing the name of the Waterfront Development Board, continuing the existence of said board, and to readopt Chapter 264,

REPORTS AS FOLLOWS: The Committee recommends that the ordinance be adopted.

May 10, 1993

By Councilmember Lilly

Carried unanimously

RESOLUTIONS

RESOLUTION #262
BY COUNCILMEMBER RICK LILLY May 6, 1993

WHEREAS, the Planning Board reviewed and approved the Seven Block Area Development Plan; and

WHEREAS, the Physical Development and Ways & Means Subcommittees of the Lansing City Council have reviewed the Seven Block Area Development Plan concurring both in the conceptual land use development plan and the financing mechanism; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council direct the administration to prepare and submit an application for a Section 108 Loan Guarantee from the office of Housing and Urban Development for the purpose of securing funding to initiate implementation of the Seven Block Plan.

By Councilmember Lilly

To discharge the Committee on Physical Development from Items Numbered XII A-1 through XII A-7

Carried unanimously

By Councilmember Lilly

To place an affirmative roll on the resolution

Carried unanimously

RESOLUTION #263
May 5, 1993
BY COUNCILMEMBER RICK LILLY

WHEREAS, the Mayor and City Council wish to promote civic pride and city beautification; and

WHEREAS, the City of Lansing wishes to assist in the beautification of public ground during the Spring of 1993; and

WHEREAS, the Mayor wishes to declare the week of May 15, 1993, through May 22, 1993, as Spring Beautification Week—1993; and

WHEREAS, clean up of the River Trail being a prominent and highly utilized public facility, has been designated as the official kick off event on Saturday, May 15, 1993, at 9:00 a.m., at the corner of Shiawassee and Grand; and

WHEREAS, the following Saturday, May 22, 1993, has been designated for planting flowers in the public spaces and generally instilling civic pride through beautification.

NOW THEREFORE BE IT RESOLVED, that the Lansing City Council declares the week of May 15, 1993, through May 22, 1993, as City Beautification Week-1993.

By Councilmember Lilly

That the resolution be ammended by adding the following:

Following the fifth paragraph;

"WHEREAS, Lansing has been recognized as a Tree City USA, and has a strong reputation for it's tree lined streets.

Following the last paragraph;

NOW THEREFORE BE IT FURTHER RESOLVED, that the Physical Development Committee examine the following;

a) What other cities and governments are doing to save their trees
b) The engineering requirements for the sewers and how any adverse impacts of their installation has on vegetation in the parkways, including trees, can be reduced to an absolute minimum
c) Development of a method to notify the residents as well as the Neighborhood Association of any Capitol Improvement (or destruction) in the area before it occurs, including any adverse impacts it may have

BE IT FINALLY RESOLVED, that a moratorium on tree removal associated with installation of the City's Separated Sewer System be, and hereby is enacted until the Save the Trees Committee is able to determine what policy is appropriate with respect to tree removal in the City of Lansing, and their findings have been examined by the Physical Development Committee."

And that an affirmative roll be placed on the Resolution as amended.

Carried unanimously

RESOLUTION #264
PUBLIC IMPROVEMENT I

By Councilperson Lilly

RESOLVED, by the City Council of the City of Lansing that it is hereby determined to be of a public necessity to construct a sanitary sewer to serve properties on the East side of MLK/LOGAN from Edgewood Blvd to Kenbrook.

AND FURTHER, that the cost of these improvements shall be financed by special assessment to the benefitted property owners, and that the City's share be applied to account #590-453670-973000-20100. The improvements are requested by the property

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

owners through a valid petition therefore attached.

BE IT FURTHER RESOLVED, that the Department of Public Service is hereby authorized to acquire the necessary permanent easements and to prepare necessary plans and specifications for these improvements, and to establish in detail the cost of said project and to furnish said information to the Mayor and City Council.

By Councilmember Lilly

Carried unanimously

RESOLUTION #265
SLU-2-93, 911 West Hillsdale Street May 3, 1993

By Councilmember Lilly:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, May 17, 1993 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing a proposed Special Land Use SLU-2-93 request by Gracie Ansley to establish a residential care facility for eight people at 911 West Hillsdale Street.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Beal, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

NAYS: None

ABSENT: Councilmember Belen

RESOLUTION #266
BY COUNCILMEMBER RICK LILLY April 29, 1993

ACT-4-93
238 East Hazel Street

WHEREAS, the applicant, Lansing Parks Department, is desirous of purchasing the property at 238 East Hazel for the purpose of removing the structure which is located on the west bank of the Red Cedar River in the 100 year floodplain and subsequently utilizing the property as an integral part of the River Trail System running from Elm Street to River Point Park. The Lansing Planning Division, through its staff report, reviewed the proposal and recommended that the purchase be approved as it was in keeping with the River Point Master Plan Amendments and supports the City's River Point Trail Program removing a residential structure from a flood hazard area and should enhance the overall character of the neighborhood; and

WHEREAS, the Lansing Planning Board, at its meeting on April 20, 1993, reviewed the report of the Parks Department and voted unanimously to recommend approve of the sale; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approve the acquisition of the property at 238 East Hazel Street by the Parks Department and use in the Hiking-Biking Trail System.

By Councilmember Lilly

Carried unanimously

RESOLUTION #267
ACT-7-92
EAST MAPLE STREET

BY COUNCILMEMBER RICK LILLY

WHEREAS, the purchaser, Friedland Industries, Inc., requested vacation of a portion of East Maple Street between Center Street and Factory Street; and

WHEREAS, the Planning Division, through its staff report, evaluated the proposal and determined through title search that the City does not have insurable title to this property even though it is city property that has been paved, maintained and used for street and utility services for at least 100 years. Public Service staff support the disposition of Maple Street to relieve the City of liability and responsibility for this property, as it has been used for a loading zone and outdoor storage by the adjacent property owner, Friedland Industries, Inc., causing the street to be blocked and a hazard to both motorists and pedestrians. The staff report recommends that the City deed its interest in the property to Friedland for the nominal fee of $1.00; closing it as a street but retaining the utility easements and allowing Friedland to appropriately fence the area; and

WHEREAS, the Lansing Planning Board, at their meeting on April 20, 1993, concurred with the report of staff and voted unanimously to recommend approval of the sale by quitclaim deed to Friedland Industries, Inc. subject to the condition that the purchaser agree to accept the parcel "as is" and to hold the City harmless from any liability regarding environmental problems which may be discovered in the future; and

NOW BE IT RESOLVED that the Lansing City Council approve the sale of the undedicated portion of East Maple Street between Center and Factory Streets by quitclaim deed to Friedland Industries, Inc. for a nominal consideration of $1 while retaining full utility easement subject to the following conditions:

1. The purchaser agrees to accept the parcel "as is."

2. The purchaser agrees to hold harmless the City from any liability regarding environmental problems which may be discovered in the future.

3. The purchaser agrees to appropriately fence (six foot high with opaque materials) the subject area and to police the area to keep it free of liter and debris.

BE IT FURTHER RESOLVED that the Lansing City Council authorize the Administration to complete the final arrangements for the sale, including signing the transfer documents with the purchaser paying all closing costs for the property legally described as:

The South 66 feet of the North 313.5 feet of Lots 1 and 2, Block 13, except the West 24 feet of Lot 2, Original plat of the City of Lansing, County of Ingham and State of Michigan to wit:

Subject to: easements, conditions, restrictions and agreements of record. Also reserving from this grant a perpetual easement for public utilities under the property described above, including especially the right to maintain, operate, repair, replace, renew, remove and inspect with all necessary and convenient equipment, facilities, pumps, pipes, lines, connections therefor and all other fixtures and appliances appurtenant thereto; and further reserving in the Grantor the following rights incidental to said easement:

1. To use the easement area as may be reasonably necessary in the installation, maintenance, operation, repair, inspection, replacement or renewal the equipment and facilities connected

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

therewith.

2. To prohibit the erection of any new buildings or structures in or upon said area without the written consent of Grantor. Grantee shall have the right to construct and maintain any and all curbing, pavement, asphalt or landscaping Grantee desires to place upon the easement. If, in the course of exercising Grantor's rights under this easement, Grantor damages Grantee's curbing, pavement, asphalt or landscaping in any way, Grantor shall be responsible for its repair and replacement to its original condition using materials of like kind and quality.

3. Of ingress to, egress from and passage on and over the easement area for the purpose of exercising the easement rights hereinbefore described; provided, that the Grantee, its successors and assigns, shall have full rights of ingress, egress, access over, land use of the surface of the easement area including use as a parking lot but all in a manner compatible with the exercise of the easement rights herein described.

By Councilmember Lilly

Carried unanimously

RESOLUTION #268
BY COUNCILMEMBER RICK LILLY April 29, 1993

ACT-47-92
1913 Tecumseh River Drive

WHEREAS, the applicant, Emily Z. Tabuteau, is requesting to purchase a small irregularly shaped portion of Tecumseh River Park containing 3,048 square feet, which is located at the rear of her single family residential property at 1913 Tecumseh River Drive; and

WHEREAS, the Planning Board has conducted an ACT 285 Review and has determined, through the staff report, that the sale of subject property to the applicant would allow all the accessory buildings associated with her residence to be located on her lot in a conforming manner. The staff report also indicates, according to the Parks Department, that this would not negatively impact the development or future use of Tecumseh River Park; and

WHEREAS, that report was submitted to the Lansing Planning Board, and at their meeting on Tuesday, April 20, 1993, the Board voted unanimously to recommend approval of the sale of this small portion of the Tecumseh River Park to the owners of 1913 Tecumseh River Drive for the appraised price plus all related closing costs subject to a positive vote of the City electorate. The Board further recommended that the proceeds of this sale be dedicated in the Parks Department budget for the development of the Tecumseh River Park; and

NOW, THEREFORE, BE IT RESOLVED, that the City of Lansing authorizes the Parks Department to proceed to place language on the ballot proposing sale of this property. It is further recommended, based on an affirmative vote of the electorate that the property be sold for a fair market value to the owner of 1913 Tecumseh Driver Drive for the appraised value of $600 plus all related closing costs.

BE IT FURTHER RESOLVED, that the Real Estate Specialist be directed to prepare and execute the necessary documents to complete this transaction subject to an affirmative vote of the electorate.

By Councilmember Lilly

Carried unanimously

RESOLUTION #269
THE COMMITTEE ON WAYS AND MEANS, to whom was referred the request from the Mayor and the City Clerk to approve a budgetary change of intent to allow purchase of a computer laser printer with accessories, which will be used for the two elections in early June, and for other election-related functions,

REPORTS AS FOLLOWS: The Committee has reviewed this request, which will cost $1,901.00, and which will be funded from residuals in the Clerk's Equipment account. The Committee recommends that the change of intent be approved and that the purchase of this equipment proceed immediately.

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt

BY COUNCILMEMBER BENAVIDES:

That the report of the Committee be adopted.

CARRIED UNANIMOUSLY

May 10, 1993

RESOLUTION #270
BY COUNCILMEMBER BELEN

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Regional Chamber Foundation has requested non-profit status recognition from the Lansing City Council, and

WHEREAS, the City Attorney has reviewed the appropriate documents and by-laws and has determined that the Lansing Regional Chamber Foundation qualifies as a non-profit corporation;

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Lansing hereby recognizes the Lansing Regional Chamber Foundation as a non-profit organization.

Date: May 10, 1993

By Councilmember Schmidt

Carried unanimously

RESOLUTION #271
THE COMMITTEE ON WAYS AND MEANS, to whom was referred the request from the Mayor and the Public Service Department to approve a budgetary change of intent to allow purchase of eight 800-Megahertz radios with related antennas, holders, microphones and accessories, and to convert a base station for the Building Maintenance Division, which is now part of the Public Service Department,

REPORTS AS FOLLOWS: The Committee has reviewed this request, which will cost $13,600.00, and which will be funded from residuals in the Service Garage—Vehicles and Miscellaneous Equipment account. The Committee recommends that the change of intent be approved and that the purchase of these radios proceed immediately.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt

BY COUNCILMEMBER BENAVIDES:

That the report of the Committee be adopted.

May 10, 1993

CARRIED UNANIMOUSLY

ORDINANCES FOR INTRODUCTION

There were no ordinances for introduction

ORDINANCES FOR PASSAGE

By Councilmember Lilly:

That we proceed to the passage of Ordinances.

By Councilmember Lilly:

That the Ordinance when read be considered as read in its entirety.

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Lilly:

Resolved by the City Council of the City of Lansing that an Ordinance To Amend Chapter 264 of the Codified Ordinances of the City of Lansing, Michigan, for the purpose of changing the name of the Waterfront Development Board to the River and Waterfront Board, continuing the existing of said Board and to readopt Chapter 264 be placed on order of immediate passage.

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Lilly:

Resolved by the City Council of the City of Lansing that an Ordinance To Amend Chapter 264 of the Codified Ordinances of the City of Lansing, Michigan, for the purpose of changing the name of the Waterfront Development Board to the River and Waterfront Board, continuing the existing of said Board and to readopt Chapter 264 be now passed.

YEAS:

NAYS:

ABSENT:

By Councilmember Lilly

To table the Ordinance for one week

Carried unanimously, Council President Canady absent for the vote on this item

May 3, 1993

By Councilmember Lilly

To take from the table the Ordinance changing the name of the Waterfront Development Board, continuing the existance of said Board, and readopting Chapter 264; and proceed to the passage of Ordinances

By Councilmember Lilly

That the Ordinance, when read, be considered as being read in its' entirety and that an affirmative roll be attached

Adopted by the following vote:

YEAS: Councilmembers Beal, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

NAYS: None

ABSENT: Councilmember Belen

By Councilmember Lilly

That the ordinance be given immediate effect for the health and welfare of the residents

Carried unanimously

May 10, 1993

ORDINANCE NO. 860

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND CHAPTER 264 OF THE CODIFIED ORDINANCES OF THE CITY OF LANSING, MICHIGAN FOR THE PURPOSES OF CHANGING THE NAME OF THE WATERFRONT DEVELOPMENT BOARD TO THE RIVER AND WATERFRONT BOARD, CONTINUING THE EXISTENCE OF SAID BOARD AND TO READOPT CHAPTER 264:

The City of Lansing ordains:

Section 1. That Chapter 264 of the Code of Ordinances of the City of Lansing, Michigan, be amended, to read as follows:

264.01 PURPOSE.

THE RIVER AND WATERFRONT BOARD IS TO BE CONCERNED WITH PROMOTING IMPLEMENTATION OF THE WATERFRONT PLAN THAT IS BASICALLY DIRECTED AT THE:

(a) INCREASED PUBLIC ACCESS TO, AND USE OF, THE CITY'S WATERFRONT;

(b) DEVELOPMENT AND/OR REDEVELOPMENT OF THE WATERFRONT THAT IS SENSITIVE TO PUBLIC USE AND THAT IS MAINTAINED IN THE BEST MANNER POSSIBLE; AND

(c) PRESERVATION AND IMPROVEMENT OF THE NATURAL ENVIRONMENT OF THE RIVER WATER AND RIVERFRONT LAND.

264.02 DEFINITIONS.

AS USED IN THIS CHAPTER:

(a) "WATERFRONT" INCLUDES AN AREA OF BOTH LAND AND WATER RELATED TO THE GRAND RIVER, THE RED CEDAR RIVER AND SYCAMORE CREEK WITHIN THE CITY. THE AREA OF LAND SHALL BE A STRIP OF LAND, ON BOTH BANKS OF THE WATER BODY, BOUNDED BY THE NORMAL WATER'S EDGE AND A LINE 150 FEET, HORIZONTAL MEASURE, FROM AND PARALLELING SUCH EDGE. THE AREA OF WATER SHALL BE THE WIDTH OF THE RIVER OR CREEK ITSELF, I.E. THE AREA ACROSS THE BODY OF WATER FROM NORMAL WATER'S EDGE TO NORMAL WATER'S EDGE. THE NORMAL WATER'S EDGE SHALL BE DETERMINED FROM THE MOST RECENT TOPOGRAPHIC MAPS OF THE CITY THAT ARE ON FILE IN THE DEPARTMENT OF PLANNING AND MUNICIPAL DEVELOPMENT AND IN THE PUBLIC SERVICE DEPARTMENT.

(b) "WATERFRONT PLAN" REFERS TO THE DOCUMENT ENTITLED *PLAN FOR DEVELOPMENT OF LANSING'S WATERFRONT,* DATED FEBRUARY, 1974. COPIES OF SUCH DOCUMENT ARE ON FILE IN THE DEPARTMENT OF PLANNING AND MUNICIPAL DEVELOPMENT.

264.03 ESTABLISHMENT; MEMBERSHIP; TERMS; CHAIRPERSON; COMPENSATION.

THERE IS HEREBY ESTABLISHED A RIVER AND WATERFRONT BOARD IN AND FOR THE CITY. THE BOARD SHALL

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

CONSIST OF EIGHT MEMBERS WHO SHALL BE APPOINTED FROM THE CITY AT LARGE. MEMBERS SHALL BE APPOINTED BY THE MAYOR WITH THE ADVICE AND CONSENT OF COUNCIL. EXCEPT AS HEREIN PROVIDED, APPOINTMENTS AND QUALIFICATIONS OF MEMBERS OF THE BOARD SHALL BE CONSISTENT WITH THE PROVISIONS OF THE CITY CHARTER REGARDING BOARD MEMBERS. THE MEMBERS OF THE BOARD SHALL BE APPOINTED FOR FOUR-YEAR TERMS, WITH TWO TERMS EXPIRING EACH YEAR. ALL CURRENT WARD POSITIONS ARE HEREBY CONVERTED TO AT-LARGE POSITIONS. ALL PERSONS HOLDING SUCH POSITIONS SHALL CONTINUE TO SERVE AS BOARD MEMBERS FOR THE REMAINDER OF THE TERM OF THEIR APPOINTMENT.

THE CHAIRPERSON OF THE BOARD SHALL BE ANNUALLY ELECTED BY THE MEMBERS OF THE BOARD. ALL MEMBERS OF THE BOARD SHALL SERVE WITHOUT COMPENSATION.

264.04 GENERAL DUTIES AND POLICY.

(a) THE DUTIES OF THE RIVER AND WATERFRONT BOARD ARE AS FOLLOWS:

(1) TO PROPOSE AND EVALUATE POLICIES, PROGRAMS AND PROJECTS TO BRING ABOUT THE DEVELOPMENT, ENVIRONMENTAL PROTECTION AND IMPROVEMENT OF THE RIVERS AND WATERFRONT ACCORDING TO THE WATERFRONT PLAN AND THE BEST INTERESTS OF THE CITY AND TO ADVISE THE MAYOR AND COUNCIL ACCORDINGLY;

(2) TO REVIEW AND COMMENT UPON ALL REQUESTS FOR REZONINGS OF WATERFRONT LAND AND TO ADVISE THE PLANNING BOARD AND COUNCIL UPON THEM;

(3) TO REVIEW AND COMMENT UPON ALL BUILDING PERMITS FOR STRUCTURES OR PROJECTS ON WATERFRONT LAND; AND

(4) TO REVIEW AND COMMENT UPON ALL PROPOSED APPROPRIATIONS FOR CITY DEPARTMENTS OR DIVISIONS WHICH AFFECT WATERFRONT LAND AND TO ADVISE THE MAYOR AND COUNCIL UPON THEM.

(b) IT SHALL BE THE POLICY OF THE CITY THAT THE ADMINISTRATION OF THE CITY SHALL NOT SUBMIT RECOMMENDATIONS OR REQUESTS FOR REZONINGS OF WATERFRONT LAND, OR THE REFUSAL THEREOF, TO COUNCIL FOR FINAL ACTION UNTIL THEY HAVE BEEN REVIEWED BY THE RIVER AND WATERFRONT BOARD AS REQUIRED BY THIS CHAPTER. IT SHALL ALSO BE THE POLICY OF THE CITY THAT ALL APPLICATIONS FOR BUILDING PERMITS BE REVIEWED BY THE BOARD AS REQUIRED BY THIS CHAPTER. IT SHALL FURTHER BE THE POLICY OF THE CITY THAT NO PROPOSED APPROPRIATION WHICH AFFECTS WATERFRONT LAND SHALL BE SUBMITTED TO OR REQUESTED OF COUNCIL BY THE CITY'S ADMINISTRATION OR BY ANY CITY AGENCY OR BOARD UNTIL IT HAS BEEN REVIEWED BY THE BOARD AS REQUIRED BY THIS CHAPTER. IN ADDITION, ANY AGENCY'S BUDGET MATERIAL WHICH AFFECTS WATERFRONT LAND, INCLUDING CAPITAL IMPROVEMENT PROPOSALS, SHALL BE SUBMITTED TO THE BOARD BEFORE SUBMISSION TO THE MAYOR, AND THE BOARD'S WRITTEN RECOMMENDATIONS SHALL BE SUBMITTED TO THE MAYOR ALONG WITH EACH AGENCY'S RECOMMENDATIONS. THE MAYOR SHALL TRANSMIT THE BOARD'S RECOMMENDATIONS TO COUNCIL ALONG WITH BUDGET MATERIAL FOR THAT AGENCY. IT SHALL BE CONCLUSIVELY PRESUMED THAT A MATTER HAS BEEN REVIEWED BY THE BOARD AS REQUIRED BY THIS CHAPTER IF THE MATTER HAS BEEN REFERRED TO THE BOARD MORE THAN THIRTY DAYS PRIOR TO ITS SUBMISSION TO COUNCIL.

(c) FAILURE TO COMPLY WITH ANY OF THE REQUIREMENTS OF THIS SECTION SHALL NOT AFFECT THE VALIDITY OF ANY ACT OF COUNCIL.

264.05 MEETING SPACE AND STAFF ASSISTANCE FROM PLANNING AND MUNICIPAL DEVELOPMENT DEPARTMENT.

THE DEPARTMENT OF PLANNING AND MUNICIPAL DEVELOPMENT SHALL PROVIDE MEETING SPACE AND SUCH STAFF ASSISTANCE AS IS REASONABLE AND NECESSARY TO ENABLE THE RIVER AND WATERFRONT BOARD TO CARRY OUT ITS DUTIES.

264.06 MEETINGS.

THE RIVER AND WATERFRONT BOARD SHALL MEET NOT LESS THAN ONCE A MONTH AND MAY MEET AT SUCH OTHER TIMES AS THE BOARD MAY DETERMINE. THERE SHALL BE A FIXED PLACE OF MEETING AND ALL MEETINGS SHALL BE OPEN TO THE PUBLIC. THE BOARD SHALL ADOPT ITS OWN RULES OF PROCEDURE AND KEEP A RECORD OF ITS PROCEEDINGS SHOWING THE ACTION OF THE BOARD AND THE VOTE OF EACH MEMBER UPON EACH QUESTION CONSIDERED. THE PRESENCE OF FIVE MEMBERS SHALL BE NECESSARY TO CONSTITUTE A QUORUM.

264.07 CONFLICTS OF INTEREST.

NO RIVER AND WATERFRONT BOARD MEMBER SHALL HAVE ANY INTEREST WHATSOEVER, DIRECT OR INDIRECT, EXPLICIT OR IMPLICIT, IN ANY PRIVATE WATERFRONT DEVELOPMENT PROJECT FOR WHICH HE OR SHE MAKES A DECISION, CONTRIBUTES A JUDGMENT OR APPROVES ANY ADMINISTRATIVE ACTION.

264.08 EXPIRATION OF CHAPTER.

ACCORDING TO SECTION 3-307 OF THE CITY CHARTER, THE ORDINANCE FROM WHICH THIS CHAPTER IS DERIVED (ORDINANCE _____, PASSED _____, 1983) SHALL EXPIRE ON APRIL 25, 2003, UNLESS COUNCIL TAKES FORMAL ACTION TO RE-ENACT THE SAME.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect on April 26, 1993.

By Councilmember Lilly

That this ordinance, being necessary for the immediate preservation for the public peace, health, or safety shall take effect upon it's passage.

MARILYNN SLADE, CITY CLERK

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Benavides; A Committee Report recommending a change of intent for the Public Service Department

HANDLED AS RESOLUTION #271

2/ From Councilmember Benavides; A letter from Mayor Crawford recommending an allocation of $2,400 to the Black Child and Family Institute

REFERRED TO THE COMMITTEE OF THE WHOLE

3/ From Councilmember Benavides; A request that the rules be suspended to allow Council to take action on Item X D-3 under Letters from the Mayor regarding Hazardous Waste Transportation

HANDLED AS RESOLUTION #260

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

4/ From Councilmember Beal; A letter from Vivian Bloom of 227 S. Eighth St. suggesting alternatives for the clean-up and beautification of Lansing

REFERRED TO THE MAYOR AND
THE PUBLIC SERVICES COMMITTEE

5/ From Councilmember Beal; A Letter from Tom Powers, property owner at 109 N. Larch St. regarding the Lansing Building Authority's attempt to purchase his property

REFERRED TO THE MAYOR AND
THE PUBLIC SERVICES COMMITTEE

6/ From Councilmember Brockwell; A request that the rules be suspended to allow for a presentation regarding the "Michigan Parades Into the 21st Century" parade, and that Special Ceremonies be held directly following Consideration of Late Items

THE RULES WERE SUSPENDED AND A PRESENTATION WAS MADE DURING THE SPECIAL CEREMONIES PORTION OF THE AGENDA

MAYOR'S COMMENTS

Mayor Crawford announced that he has no comments

COUNCILMEMBER'S COMMENTS

Councilmember Beal reported on the results of the Camp Highfields Spelling Bee. The City Council team was defeated and the match was won by a team of attorneys. She feels their team had harder words than other teams had. She was absent last week because she had a final exam at MSU. She recently attended a banquet for outstanding High School Seniors and Ron Onufer's daughter was honored as an outstanding senior. She commended the Lansing School District for the fine job they are doing of educating our young people. She hopes these young people decide to come home and join the community after college.

Councilmember Schmidt asked that a list of all of the Kids Kamps sites be made available to the Committee of the Whole and to the area schools that will have camps located in them. She indicated her concern over the fair that Everett High School recently had in their parking lot. She received calls and a letter from residents in this area protesting the noise. We should tell the schools that they need to apply for a waiver to the noise ordinance. This is a matter that can be taken up by the Intergovernmental Relations Committee. She reported a situation occurring with the residents on Leewood and Fireside streets. Their yards are being flooded by water draining from the Forrest View School playground. Both the School District and the City seem to be ignoring this problem. She has witnessed the water flooding these yards from the School's playground and can show pictures to support it.

PUBLIC COMMENTS

William Bernstein of 420 Baker St. spoke regarding his trial for disturbing a public assembly and his controversy with the Building Department.

Russell Greear of 3801 Walton said the city has problems that are being ignored. Pot holes and speeding cars hitting children. We need more protection from the Police Department. A child was hit on Regent St. tonight. He has been attempting to get a street light installed at the new Kroger Store. There is too much traffic congestion in this area. They needed that light installed yesterday. If Council does not start doing something now, they will be out of office in November.

Councilmember Schmidt informed Mr. Greear that Dave Berridge, Traffic Engineer for the City, has contacted MDOT so that they can coordinate their work on this project. The manager of the Kroger store in question has asked that Mr. Greear not come into the store and harass him any more.

Councilmember Lilly said that there is a traffic light at Holmes and Washington and Holmes and Logan. They cannot put a third light into place within 1/4 mile area. They must study the traffic patterns to see what lights to remove. This must be handled in accordance with the Uniform Traffic Code.

Ken Vaughan of 114 Garden St. said that Councilmember Brockwell did not vote on the last item, because he was talking to the City Attorney. He would like the record to reflect this. Council President Canady responded that unless a Councilmember responds with a nay vote, and they are present in Chambers, it is regarded as a yea. Mr. Vaughan asked that the Public Service Department check into trash bags laying out on Martin St. around the corner from Garden St. They ruined a neighborhood picnic last weekend.

Lloyd Teets of 116 E. Elm St. said that on April 13, 1992, Council adopted Resolution #201 offering the Early Retirement Incentive. On April 13, 1993, Count #1 of the lawsuit against the Early Retirement plan was dropped. On Wednesday May 5, 1993 they tried to get Count #1 reinstated because Mr. Vaughan was the only plaintiff to sign off on it.

Frank Curtis of 1137 W. Allegan said he is only interested in protecting his woman and his kids. He wants reparation for the black man.

Vicki Simons of 910 E. Jolly Rd. said she feels Council does a good job. However, lately it seems that everyone is fighting. They should keep their arguing behind closed doors and not air it on television. They should stick together instead of letting individual interests separate them. She asked if Rule #19 has been rewritten yet. Councilmember Ford said that General Services expects to make a recommendation to the Committee of the Whole either this week, or next week. They believe this rule will come out looking very good to both citizens and council.

Tim McBride of 328 S. Magnolia said he was arrested over the weekend and was put in an isolation cell and chained. He feels that the punishment was too severe.

Pauline Johnson-West of 525 W. Shiawassee protested the closing of Kingsley Community Center on Saturday afternoons. Kids in this area need the center for a supervised outlet. This comes at the warmest time of the year. Where will these kids go? They are too small to cross Logan Street to go to the Black Child and Family Institute. Please look at what can be done with volunteers to staff the center. President Canady referred this issue to the Committee of the Whole and asked Mayor Crawford to have a recommendation by Thursday.

David McCreight of 3219 Edgewood said he is on the Police Community Relations Board. He would like additional members

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

appointed to the Board. He encouraged the Mayor to make City Hall more accessible to the people. They should be meeting with groups to educate them as to how to utilize City Hall. It could very well prevent an incident such as the Torres shooting. He invited Councilmembers to attend the next meeting of the Mid Michigan Asian North American Committee.

Andrew Anthos of 208 W. Hillsdale encouraged all citizens to celebrate their dreams and desires. He salutes all individuals from all ethnic origins. Everyone should be proud of our State during Michigan Week.

Beverly Miller of 413 Pearl St. asked Councilmember Beal to check and see if anything can be done with the railroad tracks on Grand River and Clinton St. They are not being maintained. They need a light at the intersection of Sheridan Rd. and US-127.

Margie Ojibway of 429 W. Ionia #3 asked why Durand and Ferris Park could not be used for the kids to play in. Why is the Black Child and Family Institute rented for $1.00? Councilmember Benavides answered that the children need a more organized, structured environment. The City does not rent the Black Child and Family Institute. This is handled by the Lansing School District.

Tim Lewis of 500 S. Pine #1015 said that he hopes that former Mayor McKane and City Clerk Blair will be held accountable for what happened with their retirement. If this was passed illegally, then something should have been done about it.

Matt Jones of 1111 Orchard said he is having difficulty with the Building Safety Department. He is in the process of renovating this house, but because of the treatment of the Building Safety Department, he is beginning to feel that Lansing is not the place to own rental property in. His tax dollars are being used to harass him. Councilmember Schmidt reported receiving a call from him three weeks ago. The Development Division has been assigned this area for upgrading. She drove by his property and found that he had a lot of violations. Things out in the public right-of-way, a car parked in the front yard, and a substandard porch on the front of the house. She spoke with the Code Compliance Officer assigned to this case and found that there appears to be a bad working relationship between them. Mr. Jones responded to Councilmember Schmidt's comments by saying that they are not parking cars in his front yard. This has been a problem with the Code Compliance Officer also. However, if you check the code you will see that this car is parked in a legal driveway. He indicated his resentment that Councilmember Schmidt has taken the side of the Building Department. They broke into his garage and stole valuable equipment from it. Council President Canady referred his complaint to the City Attorney and the Public Services Committee.

Harold Leeman of 529 N. Francis asked how much money was left for the defense of the Early Retirement Lawsuit. He criticized the Chamber of Commerce for endorsing Mayor Crawford's candidacy before the ballot has even been drawn up. Former Mayor McKane is the scheduled guest speaker at the Sons of the Revolution meeting. The gate price is $15.00 per person.

ADJOURNED 9:50 P.M.
MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, May 17, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
May 17, 1993

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Canady

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

ABSENT: None

CONSIDERATION OF LATE ITEMS

By Councilmember Beal

To accept the following under suspension of the rules:

1/ From Councilmember Beal, a Committee Report from Intergovernmental Relations regarding a request for waiver of fees for the use of the Civic Center Terrace Room

2/ From Councilmember Schmidt, a request that the rules be suspended to allow for a presentation by the Greater Lansing Safety Council during Special Ceremonies

3/ From Councilmember Lilly, a request that the rules be suspended to allow for inclusion of a Public Hearing on SLU-02-93, 911 W. Hillsdale that was inadvertently omitted from the agenda

4/ From Councilmember Belen, a resolution from the Economic Development Committee setting a Public Hearing for June 7, 1993 in consideration of transfer of Commercial Facilities Exemption Certificate from Clarion Limited Partnership to Long Development, Inc.

5/ From Councilmember Ford, a request that the rules be suspended to allow the group, present to discuss the moratorium on tree cutting, to make their comments during Public Comment on Action Items

Carried Unanimously

SCHEDULED PUBLIC HEARINGS

A. Amending Part 14, Title Two and title Six, Chapter 1420 and 1460 for the purpose of Making the Qualifications of Hearing Officers who determine whether buildings or structures are Dangerous or Unsafe consistent with recent State Law

Lloyd Teets of 116 E. Elm St. spoke in support of amending Part 14 of the Code of Ordinances. His experience with demolition officers was a bad one. He feels that the officer was not qualified for his job. He does not agree with this portion of the code. It puts the burden of proof on the home owner rather than on the city building inspector. This city has demolished too many houses because of the allegations of uneducated building inspectors.

Frank Curtis of 1137 W. Allegan said the City is tearing down too many houses. You cannot collect taxes on empty lots. We are putting people out of their homes. The city should be investing money into these houses and housing the homeless in them.

Russell Greear 3801 Walton said there is a 20% homeless population in this town and some of these houses should be made into shelters for them.

Lee Shunk, Jr. of 601 Leslie said that the City's Building Inspectors should be required to take classes at L.C.C. to keep abreast of new laws. Each inspector should use the same criteria for everyone and the criteria used should be available to the public. They should allow more time for people to make repairs.

Russell Terry of 121 E. Mt. Hope said that the money spent on the early retirement of City employees could have been spent to remodel houses in the demolition process which could then be used for homeless people.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

B. SLU-02-93, 911 W. Hillsdale St. Request by Gracie Ainsley for Special Land Use Permit to establish a Residential Care Facility for 8 people at 911 W. Hillsdale St.

Frank Curtis of 1137 W. Allegan spoke in support of this special land use request. Ms. Ainsley has been having a hard time.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

PUBLIC COMMENT

Dick Baker from the West Side Neighborhood Organization spoke in support of a tree cutting moratorium. The Mayor's letter does not address their concerns and the City Engineer's letter is ineffective.

Lee Shunk, Jr. of 601 Leslie St. said that trees do not necessarily die just because they have sustained some root damage. Nature has a way of making sure her trees survive.

Earl T. Pauley, Jr. of 601 N. Cedar St. said it takes a botanist to identify which trees could or could not survive the sewer construction. He reported a tree on the westside which is leaning very badly and could fall and injure one of the children in the day care center next to it.

Mary James of 303 N. Jenison, President of the Lansing Neighborhood Council, spoke in support of a moratorium on tree cutting and on the problems her neighborhood has experienced because of the CSO construction. She advised keeping the focus group involved to provide input on potential problems for other neighborhoods.

Paul Novak of 1519 W. Kalamazoo said that the contracts for tree removal are written in such a way as to provide incentive to the contractors to damage trees so that they have to be removed. The

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

construction on the CSO project is still going on in their neighborhood, therefore, the tree cutting moratorium has not had a negative effect on the project.

Frank Curtis of 1137 W. Allegan spoke regarding the lack of ethnic diversity among the contractors on this project. Councilmember Ford responded that, before the bid letting process began, he spoke to Mr. Clegg who made every effort to use more affirmative action and get minority and women owned businesses involved.

Homer Smith of 4048 McPherson spoke in support of a tree cutting moratorium and said that he would have been willing to pay to have his choice of trees planted to replace the trees that were cut down.

Harold Leeman of 529 N. Francis thanked the President of the Lansing Neighborhood Council for attending tonight's meeting. He asked that Community and Promotions accounts for Councilmembers be limited to $1,000 every six months. There is a lot of double speak and hypocrisy involved with the Lansing Center and Civic Center issues. Please hold up their $650,000 allocation until this matter is straightened out. He asked that the resolution approving the funding for Greater Lansing Housing Commission be pulled for one week to make sure that the Committee of the Whole has a chance to review the last paragraph.

Jennifer Bordin of 1719 Hillsdale said the City could use an ombudsman or trouble shooter to liaise with the WSNO. She is the Secretary of the Organization.

Rod Callum of 501 McPherson spoke in support of the tree cutting moratorium. There are varied problems resulting from this sewer construction. Dust problems, road problems, and traffic problems.

Mary Rosenberg of 519 N. Jenison invited Council to their neighborhood to see the decimation caused by the sewer construction. She supports the tree cutting moratorium. This project has destroyed her neighborhood.

Tom Shields of 1108 Riley recalled that 15 years ago the City grew their own trees for planting at the corner of Aurelius and Mt. Hope. He would like to see this green house opened once again.

Rick Kibbe, no address given, said he is the Chairman of the Public Service Board and believes the issue of the tree cutting moratorium properly belongs before his board. They will meet June 14, 1993 at 7:30. Information may be obtained by calling Margaret Pollard at 483-4455.

Councilmember Lilly thanked Mr. Kibbe for attending tonight and agreed that the Public Service Board is the proper arena for this issue. He does not want to set up another structure to deal with it.

Councilmember Beal asked Mr. Clegg to look into what other Cities are doing to save their trees because of similar construction. She is interested in the proposal made by Mr. Baker that an escrow account be set up to use for trees whose roots are so damaged that they die, rather than spending money to cut the trees down before they have a chance to survive.

Bob Clegg, Interim Director of the Public Services Department said that his concern is that, if the moratorium is not lifted, and tree roots are damaged by the CSO construction process, the trees could fall on neighborhood homes. This could be hazardous to the public health.

Dick Baker, of the WSNO said that Mr. Clegg's statements point out the reason they need the moratorium. The trees that were cut in their neighborhood were cut before any work was done on the CSO, not because of damage to their roots. Perhaps they need to issue individual permits to cut down individual trees. He thanked Council for the extra time allotted to him and for listening to his comments.

Phillip Dean of 606 W. Shiawassee, Executive Director of the Greater Lansing Housing Coalition, spoke regarding the resolution for their Grant. This is HUD money, he said, not City money. A lot of money will come into the City if this is approved. In order to get it approved, they need a letter from the Mayor with specific language written into it. The City could loose $500,000 if the letter is not written specifically as required. He has the language that must be incorporated into the resolution. He asked that everyone who attended the meeting to support their position stand. Approximately 65 people stood to show their support. They are filing this application for federal funds in conjunction with Community Mental Health to help provide housing for the homeless. Even with the passage of this resolution, they need a letter from the Mayor with the specific language he mentioned.

Council President Canady said he wished to go on the record as having a valid concern over making an implied guarantee that these sites conform to the CHAS when the sites have not been disclosed to them and they cannot certify this as fact.

Kevin Steven of 1400 W. Lenawee spoke in support of the tree cutting moratorium. He watched a contractor digging on Jenison St. for about 5 hours. He never saw any tree roots exposed by the digging. He thought they were cutting down the trees because they were in the way of the machinery.

Carol Schmidt of 1411 W. Lenawee spoke in support to the tree cutting moratorium and said that she actually felt physical pain when she saw these tree being cut down.

Jane Leecock of 1623 W. Kalamazoo spoke in support of the tree moratorium.

Tim McBride of 228 S. Magnolia asked if the $8,500 grant for Auto Theft Prevention is a kick-back from the Insurance Companies.

Shirley Murray of 1720 Bradley, President of the South Central Neighborhood Organization spoke in support of the tree cutting moratorium.

Dr. Willie Davis of 1136 Shepard asked that the Saturday hours of the Kingsley Community Center be extended. Why is it always Kingsley that has to fight for their funding every year? He asked Council to take steps to insure that this does not keep coming up year after year.

An Attorney representing Dreamgirls said that taking this request for renewal of their Cabaret license to committee was a needless waste of time and money. He hopes that in the future Council will keep the avenues of communication open.

Councilmember Schmidt asked Councilmember Benavides to review the list of calls made to the Lansing Police Department for disturbances at this establishment.

Councilmember Ford said that the General Services Committee did not have this information when they reviewed this issue. He would like to have this request referred back to the committee.

Pauline Johnson-West, no address given, spoke in support of extending the Saturday hours of operation for the Kingsley

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Community Center.

Paul Scott of 412 W. Kilborn asked to have an Ad Hoc committee formed from the Public Service and Parks Boards. These trees can be saved by trimming them from the top. He spoke in support of the request by the Greater Lansing Housing Coalition. Council, he said, should give them their support and amend the CHAS later, if necessary.

Alexander Bolt of 1230 Reo Rd. said that, if City Council is going to use a report of disturbances at Dreamgirls, they should provide a comparative sample of calls because of disturbances at other bars like the Green Door, Omarr's etc. It was the Mayor's responsibility to make sure that home owners were notified that their trees would be removed. There seems to be a disenfranchisement of government of the people, by the people, for the people. Some of our elected officials have been in office for so long that they cannot feel what it is like to be a regular citizen any longer.

Andrew Anthos, no address given, thanked everyone who has supported his D.O.M.E. project. He hopes everyone here will endorse this effort.

Lloyd Teets of 116 E. Elm St. spoke in support of Mr. Anthos's D.O.M.E. project and of longer Saturday hours at the Kingsley center. He is opposed to the $650,000 for the Lansing Center. The raise in property tax assessments amounts to an increase in taxes. He criticized Council for spending more time on the renewal of a Cabaret license for Dreamgirls than they did on the Early Retirement resolution.

Tim Lewis of 500 N. Capital spoke in support of the Cabaret license for Dreamgirls, and of a tree cutting moratorium, and of Mr. Anthos's D.O.M.E. project.

Ken Vaughan of 114 Garden St. spoke in support of Mr. Anthos's D.O.M.E. project.

Russell Greear of 3801 Walton spoke in support of the D.O.M.E. project and suggested that the City light up City Hall to compliment the lighting of the dome. He supported the request by G.L.H.C. saying there are over 500 homeless in this city and we need to do something for them. Winter is coming and will be hard on these people. We need to support the homeless, mentally ill, and physically handicapped.

Barbara Curtis of 530 N. Jenison spoke in support of a tree cutting moratorium.

Therese Curtis-Watkins of 530 N. Jenison said the City should not cut down the trees because, they give off oxygen and hold down the grass.

Stephanie Whitbeck of 620 W. Ionia asked where the 20 sites picked by G.L.H.C. are located at? There are pockets throughout the city that are fragile in nature. Why do these sites always have to be in Lansing? Why not put some in E. Lansing? Twenty houses of people of a transient nature could create damage to the neighborhoods they are located in. This money could go to organizations that provide shelter to homeless. She likes the Capital Dome the way it is now.

Pat St. George of 511 Carey St. said that the Lansing CHAS was much more elaborate than the E. Lansing CHAS. Council should come up with a plan for dealing with various jobs for the homeless and handicapped.

Dion Foster of Eaton Rapids said Dreamgirls should not be denied their license because of the complaints of the community for what is happening in their parking lot. The security inside the establishment is pretty good. He knows because a couple of his friends have tried to get in and could not.

Richard Collins of 425 Moores River Drive said that the CSRC was nothing but drugs, prostitutes, and pimps. No one had the nerve to shut this center down except for Mayor Crawford. They made Deja Vu look like a sunday school picnic.

SPECIAL CEREMONIES

Suzy Carter, Executive Director of the Lansing Area Safety Council at 1710 E. Kalamazoo invited Councilmember to attend their Police and Fire Field Day Picnic. This is an annual event to honor the Safety Patrols in Lansing Schools. This year they have a wonderful picnic planned with entertainment and refreshments. She presented commemorative baseball caps to Councilmembers.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Canady

Carried unanimously

A. SLU-08-93, 430-440 N. Larch St., Special Land Use Request filed by Volunteers of America to establish transitional housing for 24 individuals

REFERRED TO THE MAYOR AND THE PLANNING BOARD

B. Request from the Residents of Stonewood Drive that they be allowed to hold a block party on May 30, 1993 and block off the street.

REFERRED TO THE MAYOR

C. Letter from Hamco Management regarding:
-2227 Spikes Lane
-2300 Spikes Lane
-2222 Spikes Lane
-2230 Raymond Dr.
-2220 Raymond Dr.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

D. Petition signed by 37 residents in the area of Newark and Piper Ave. requesting installation of a Stop sign at the intersection of Newark & Piper

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD

E. Petition Signed by 27 residents requesting pathways connecting Washington Park and the following streets; Gordon, Poxson, Osband, Beal, Lenore, Cooper and S. Rundle

REFERRED TO THE MAYOR AND THE PUBLIC SERVICE BOARD

F. Letter from the State of Michigan, Department of Natural Resources regarding National Pollutant Discharge Elimination System (NPDES) Permit #M10023400 issued to the City of Lansing for the Wastewater Treatment Plant

REFERRED TO THE MAYOR AND THE PUBLIC SERVICE BOARD

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

G. Letter from Barbara Frucci of 2519 Westbury Rd. requesting that the City make available a smaller, less expensive, City Trash Bag

REFERRED TO THE MAYOR AND THE PUBLIC SERVICE BOARD

MAYOR'S COMMENTS

Mayor Crawford thanked Beth Monteith for her service to the City and outlined his letter regarding the rate for bulk stickers for low income families

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. **RESOLUTION #272**
May 17, 1993

President Canady and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

CABARET: Kelly's Downtown, Parthenon, Unicorn, Tavern, Ashley's
PUBLIC DRIVER: Safiu-Lai Uthman, Alfred Nixon
VEHICLES FOR HIRE: Spartan Cab
WASTE HAULER: Capitol City Lawn Care, Inc.

Sincerely,
Marilynn Slade, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of May 10, 1993 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the City Attorney regarding;
1. Notice of Hearing on the Petition by City Treasurer, James Goodin, to strike from the Tax Roll

RECEIVED AND PLACED ON FILE

2. **RESOLUTION #273**
May 13, 1993
COUNCIL PRESIDENT MARK CANADY and MEMBERS OF THE COMMITTEE OF THE WHOLE
10th Floor, City Hall
Lansing, MI 48933

Re: D & D DEVELOPMENT v CITY OF LANSING—
RECOMMENDATION FOR SETTLEMENT OF PROPERTY TAX APPEAL

Dear Members:

The above matter arises out of an appeal filed by Petitioner with the Michigan Tax Tribunal. Petitioner maintains that the property tax assessment on his property is excessive and should be reduced.

The subject property contains over 135,000 gross square feet, 33% constructed prior to 1940. Nearly 1/3 is second floor space. Construction is very typical of an old industrial building.

The value of this property has been derived exclusively from favorable leases. However, the subject property's major tenant filed bankruptcy in 1990 and vacated the property. This tenant was responsible for 78% of the subject property's income. Since then, leasing of the building has been very slow and consists of a smattering of smaller tenants amounting to approximately 50% occupancy.

The following stipulated value is based on a valuation of measuring the present worth of the projected annual net incomes that can reasonably be determined for the next 5 years.

The following breakdown will indicate the City tax dollars which will be refunded to the taxpayer under this proposed settlement. Note: the refund does not include interest.

YEAR	S.E.V.	STIP. S.E.V.	PETITIONER S. E. V.	CITY TAX REFUND
1991	403,000	312,500	300,000	$1,574.70
1992	403,000	312,500	300,000	$1,574.70
			Total:	$3,149.40

Based upon the foregoing reasons, it is the recommendation of the Mayor, this office, and the Assessor's office, and the Ways and Means Committee that the proposed settlement receive approval and that authority be granted to the appropriate Department to effectuate the same.

As always, if you have any questions or concerns in this matter, please feel free to contact me. Thank you for your attention in this matter.

Very truly yours,
Alvan P. Knot, City Attorney

By Councilmember Benavides

To accept the recommendations of the City Attorney

Carried unanimously

D. Letter from the Greater Lansing Convention/Exhibition Authority requesting that they maintain operation at the Civic Arena until Phase II of the Lansing Center Renovation Project is completed

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

E. Letters from the Mayor re:

1/ Resignation of Beth Monteith from the Planning Board

RECEIVED AND PLACED ON FILE

2/ Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

3/ Chief Negotiator for FOP, Doris Schoening

REFERRED TO THE COMMITTEE OF THE WHOLE

4/ Parking Regulation Request; Wainwright Ave.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

5/ Parking Regulation Request; Southbound Museum Drive Access Ramp

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

6/ Parking Regulation Request; Townsend St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

7/ Parking Regulation Request; Eighth St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

8/ Traffic Control Request; Marion Ave. & Woodbine Ave.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

9/ Traffic Control Request; Moores River Dr. & Todd Ave.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

10/ Traffic Control Request; Cooley Dr. & Rossiter Pl.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

11/ Traffic Control Request; Maryland Ave & May St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

12/ Traffic Control Request; Cooley Dr. & Pamela Pl.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

13/ Traffic Control Request; Capitol Ave. & Lapeer St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

14/ Rescinding Resolution #263, Tree Cutting Moratorium

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

COMMITTEE REPORTS

RESOLUTION #274

THE COMMITTEE ON WAYS AND MEANS, to whom was referred the request to provide Saturday recreational programming and activities at Kingsley Community Center from June 5 through October 2, 1993,

REPORTS AS FOLLOWS: The Committee was advised by the Parks' Director that Saturday participation has historically been minimal, and that on May 1 and May 8, 1993, no participants have been in the building past 5 p.m. The Parks' Director did indicate that air conditioning for this facility may be installed as early as July of 1993.

The Committee agrees with the request to open Kingsley Center on the Saturdays delineated above between the hours of 10:00 a.m. & 8:45 p.m. The cost of this program will not exceed $6,000, including wages, fringes, programming, and supplies.

The Committee requests the administration to explore the use of CDBG Funds for this program, and report back to the Ways and Means Committee on May 19, 1993.

Signed By: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

That the Report of Committee be approved.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 7

NAYS: 1

RESOLUTION #275

BY THE COMMITTEE OF THE WHOLE

TO WHOM WAS REFERRED: A letter from Mr. Andrew Anthos requesting affirmative action regarding the lighting of the Capitol Dome.

REPORTS AS FOLLOWS: That this request be referred to the Mayor for adminsitration and investigation.

SIGNED:

BY COUNCILMEMBER CANADY

That the report of the Committee be adopted.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Ford, Lilly

NAYS: Councilmembers Canady, Schmidt

RESOLUTION #276

THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS, to whom was referred the request from Yolyn E. Hollingsworth for free use of the Civic Center's Terrace Room for a fundraiser to be conducted by a student group at Lansing Eastern High School to benefit their scholarship fund,

REPORTS AS FOLLOWS: This matter was referred by the Committee on Ways and Means. Mr. Hollingsworth attended the Committee meeting and withdrew his request, citing scheduling problems. The Committee had been pre-disposed to find a way to help this event happen, primarily by requesting donations toward the Civic Center rental cost from Councilmembers' expense accounts and by seeking a contribution from the Lansing School District. Since the request was withdrawn, the Committee recommends that anyone wishing to make a donation directly to the scholarship fund should contact Lansing Eastern Assistant Principal Pam Harper, and checks should be written to the "Lansing Eastern Students for Students Scholarship Fund." This report is for information only, and no Council action is required at this time.

Signed: ELLEN M. BEAL
MARK H. CANADY
ALFREDA SCHMIDT

BY COUNCILMEMBER BEAL:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTIONS

RESOLUTION #277

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Stowe Brothers Towing has applied for renewal of its Class A Wrecker License, having been in business continuously in Lansing since 1969; and

WHEREAS, the representatives of the applicant appeared with legal counsel before the Committee on General Services to respond to a list of violations of the City's wrecker licensing ordinance compiled by the Lansing Police Department; and

WHEREAS, the list of violations included several instances of

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

overcharges for tows and storage of towed vehicles, as well as unauthorized charges that prompted a refund to a complainant; and

WHEREAS, the Committee asked several pointed questions of the applicant's representatives regarding their understanding of the wrecker licensing ordinance and future compliance, and said representatives testified that their company will comply with all provisions of the ordinance; and

WHEREAS, the Committee recommends that the Stowe Brothers Towing Class A Wrecker License be renewed for 1993-94;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby adopts the recommendation of the Committee on General Services to renew the Class A Wrecker License for Stowe Brothers Towing, such annual license to expire April 30, 1994.

May 17, 1993

By Councilmember Ford

Carried unanimously

RESOLUTION #278
BY COUNCILMEMBER FORD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Youth and Recreation, Inc., has requested non-profit status recognition from the Lansing City Council, and

WHEREAS, the City Attorney has reviewed the appropriate documents and by-laws and has determined that the Lansing Youth and Recreation Fund, Inc., qualifies as a non-profit corporation;

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Lansing hereby recognizes the Lansing Youth and Recreation Fund, Inc., as a non-profit organization.

Date: May 17, 1993

By Councilmember Ford

Carried unanimously

RESOLUTION #279
BY COUNCILMEMBER BENAVIDES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Voluntary Action Center of Greater Lansing has requested non-profit status recognition from the Lansing City Council, and

WHEREAS, the City Attorney has reviewed the appropriate documents and by-laws and has determined that Voluntary Action Center of Greater Lansing qualifies as a non-profit corporation;

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Lansing hereby recognizes the voluntary Action Center of Greater Lansing as a non-profit organization.

Date: May 17, 1993

By Councilmember Benavides

Carried unanimously

RESOLUTION #280
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Greater Lansing Housing Coalition (GLHC) has submitted to the City Development Division Manager a proposal to acquire, rehabilitate, and manage 20 housing units scattered throughout the City for the purpose of providing housing for homeless persons with physical and mental disabilities; and

WHEREAS, the GLHC has requested that the Development Division Manager certify that this proposal is consistent with the City's Comprehensive Housing Affordability Strategy (CHAS) in order to receive Federal Funds in the amount of approximately $750,000; and

WHEREAS, the Development Division Manager cannot certify the GLHC proposal because the CHAS does not identify a specific strategy to deal with the issue of providing housing for homeless individuals and cannot, therefore, certify that the GLHC proposal is consistent with the City Policy; and

WHEREAS, the Development Division Manager did indicate in his response back to the GLHC that the Special Housing Needs Committee of the Lansing Housing Partnership was assigned this task in the summer of 1991, and that providing shelter and/or housing to address the homeless situation in Lansing is consistent with the CHAS currently in force and is identified as a moderate priority in that document.

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby endorses and supports the proposal as a concept consistent with the 1993 Annual Comprehensive Housing Affordability Strategy submitted by the City of Lansing on October 19, 1992, and approved by the Department of Housing and Urban Development on December 9, 1992.

BE IT FINALLY RESOLVED that the Lansing City Council's support of this program is subject to the receipt and approval of a finalized list of specific sites, and subject to conformance with all applicable zoning and housing ordinances.

May 17, 1993 By Councilmember Lilly

To strike the third "WHEREAS" paragraph

Defeated by the following vote:

YEAS: Councilmembers Beal, Benavides, Ford, Lilly

NAYS: Councilmembers Belen, Brockwell, Canady, Schmidt

By Councilmember Belen

To place an affirmative roll on the resolution as submitted

Carried unanimously

RESOLUTION #281
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Ingham County Sheriff's Department has received a grant through the Auto Theft Prevention Authority; and

WHEREAS, the City has previously entered into a subcontract with the County to provide a "team" approach to auto theft investigations; and

WHEREAS, the City has been advised that $59,588 is available for calendar year 1993 for a subcontract; and

WHEREAS, the amount available, when combined with grant matching funds totalling $8,514 (12.5%), will be sufficient to offset the vehicle, salary, and fringe benefit costs for one (1) detective;

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

and

WHEREAS, the Mayor has recommended acceptance of this subcontract;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council approves acceptance of the subcontract with the Ingham County Sheriff's Department for the amount of $59,588 for calendar year 1993 to fund one Detective IIB position, and

FURTHER, that the City will provide matching funds in the amount of $8,514 for the balance of the projected costs for this position for the grant period, to be drawn from the current balance in Police Uniform Grant Matching Funds account; and

BE IT FINALLY RESOLVED, that authority for this position within the Police Department Table of Organization shall terminate upon expiration of the subcontract.

By Councilmember Benavides

Carried unanimously

RESOLUTION #282
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Hazardous Materials Transportation Uniform Safety Act (HMTUSA) makes available to the US Department of Transportation funds for planning grants to Local Emergency Planning Committees; and

WHEREAS the Lansing Local Emergency Planning Committee (LEPC) meets the eligibility requirements to apply for a planning grant; and

WHEREAS, the State Police Emergency Management Division, who serve as the state pass-through agent for such funds, have determined that a formal grant agreement is necessary for receipt of these funds; and

WHEREAS, the City expects to receive up to $627 for FY93/94 to support LEPC expenses, as indicated in the grant agreement; and

WHEREAS, the Mayor has recommended acceptance of this grant;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council approves acceptance of the Hazardous Materials Transportation Uniform Safety Act Planning Grant.

By Councilmember Benavides

Carried unanimously

RESOLUTION #283
BY THE COMMITTEE OF THE WHOLE
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City Council has extensively reviewed the Mayor's proposed FY 1993-94 Budget and the proposed property tax levy for 1993-94, and

WHEREAS, the proposed budget implements Citywide reorganization, previously approved by City Council, which reduces City operating costs by nearly $3,000,000, and

WHEREAS, the Mayor proposed maintaining the existing City operating tax rate of 15.04 mills and maintaining the existing City debt service tax rate of 2.36 mills, by restoring .7074 mills as required under Public Act 5 of 1982, and

WHEREAS, with appropriate public notice, public hearings were scheduled for May 10, 1993 to receive citizen comments on the proposed City Budget including capital improvements, the City tax rate inclusive of millage restoration, and the Community Development Block Grant inclusive of program income and reprogrammed funds, and

NOW, THEREFORE BE IT RESOLVED that the 1993 City operating tax levy be continued at 15.04 mills, inclusive of .7074 mills restored under P.A. 5 of 1982, and the City Debt Service levy be continued at 2.36 mills, and

BE IT FURTHER RESOLVED that the Mayor's FY 1993-94 Budget recommendations be approved per the attached schedules inclusive of the following amendments;

EXPENDITURE AMENDMENTS
Add $6,000 to the City Attorney's Budget to fund estimate of "Westlaw" annual cost.

Add $55,000 to the City Market Subsidy to fully fund costs, as estimated by the City Market Advisory Board.

Add $45,844 to City Council Budget to fully fund the Cable Franchise Fee policy, providing for the operation of Channel 28, and funding of cable programming grants.

Add $6,000 to the Human Resource Agency Budget to fully fund the Cable Franchise Fee policy with regard to Human Resource discretionary funding.

Delete designation of $1,200,000 from the Capital Project Fund for local street repairs, per previously adopted Council resolution approving expenditure of these funds during the 1993 construction season.

Within the Community Development Block Grant Final Statement of Objectives, $7,500 of housing rehabilitation money is to be designated, for economic development purposes, for potential consulting services for the City Market.

REVENUE AMENDMENTS
Increase estimated State Shared Revenue by $56,900 resulting from revised estimates in the Governor's proposed State budget.

Increase estimated amount from General Fund-Fund Balance by $55,944.

POLICY AMENDMENTS
A committee consisting of the one member of City Council as appointed by the Council President, the Internal Auditor, the Finance Director or designate, the Supervisor of the Mayor's Budget Staff, the Municipal Planning and Neighborhood Development Director or designate, the Public Service Director or designate, and the Parks and Recreation Director or designate is appointed with concurrence of the Mayor, to develop framework, procedures, and funding recommendations for Six Year Capital and Infrastructure prioritization, planning, and expenditure.

Funds currently appropriated for S. Side Parks are to be carried forward into FY 1993-94 and designated for needs assessment, site identification and preliminary design for a South Side Community Center. The administration shall identify $100,000 from Parks Millage collections to date, and shall identify $550,000 by June 30, 1996, for a South-side Community Center.

Creation of a 5 year computerization plan and computerization within the Personnel Department is referred to the above Capital

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Improvements and Infrastructure Committee.

Policy for use of Park Millage funds is referred to the above Capital Improvements and Infrastructure Committee.

To ensure longer term stabilization of rates, estimated balances within the Bag Collection program are to be identified in a rate stabilization reserve for the bag program.

The Board of Education's withdrawal of annual funding for teacher overtime for the Learn Not to Burn program is referred to the Council's Intergovernmental Relations Committee.

Review of the Council's Cable policy is referred to the Committee on General Services.

Review of potential re-categorization to the Human Service Agency budget of services directly to people, within the Community Supported Activities budget, is referred to the Ways and Means Committee.

Upon recommendation of the Mayor, one additional Kid's Camp is to be funded at the Black Child and Family Institute. The Administration is authorized to transfer salary residuals within the Parks and Recreation Department to provide necessary funding.

The concept of proceeding with update of the codification of City ordinances is approved. The City Attorney is to report available options and funding needs to the City Council.

INFORMATION ITEMS
The Administration is requested to prepare a report for review by City Council on City efforts regarding hiring of trained firefighters to reduce overtime costs.

The Administration is requested to prepare a report for review by City Council in regard to proposed changes in Personnel Rules for Executive Pay Plan Employees.

By Councilmember Lilly

To divide the issues of the budget to seperate out the issues of the Riverwalk Theatre, Black Child & Family Institute, Cristo Rey Center, Lansing Symphony Orchestra, Greater Lansing Safety Council, and the Boys and Girls Club

Carried unanimously

By Councilmember Lilly

To approve the remaining budget issues excluding those previously listed

Carried unanimously

By Councilmember Lilly

To excuse Council President Canady from the vote on the Lansing Symphony issue; Councilmember Benavides from the Riverwalk Theatre, Black Child & Family Institute, and Cristo Rey Center issues; Councilmember Schmidt from the Greater Lansing Safety Council issue; Councilmember Ford from the Boys and Girls Club issue

Carried unanimously

By Councilmember Lilly

To approve the budget issue for the Lansing Symphony Orchestra

Carried unanimously, Council President Canady abstaining

By Councilmember Lilly

To approve the budget issues for the Riverwalk Theatre, Black Child & Family Institute, and Cristo Rey Center

Carried unanimously, Councilmember Benavides abstaining

By Councilmember Lilly

To approve the budget issue for the Greater Lansing Safety Council

Carried unanimously, Councilmember Schmidt abstaining

By Councilmember Lilly

To approve the budget issue for the Boys and Girls Club

Carried unanimously, Councilmember Ford abstaining

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

GENERAL FUND REVENUE SUMMARY FOR FISCAL YEAR ENDING JUNE 30, 1994

		Amount	Percent
Property Tax (includes penalties & interest) Base SEV = $1.551 billion Rate = 15.04 mills		$23,787,000	29.76%
City Income Tax Assumes 3% growth (includes penalties & interest)	3.00%	21,000,000	26.28%
State Shared Revenue		15,741,900	19.70%
Business Licenses and Permits		395,050	0.49%
Non-Business Licenses & Permits		714,200	0.89%
Charges for Services - Fees and Sales		34,900	0.04%
Charges for Services - Rendered		617,225	0.77%
Recreation Fees		450,360	0.56%
Fines & Forfeits - inc. District Court		2,558,110	3.20%
Interest and Dividends		900,000	1.13%
Rents, Royalties, & Sale of Fixed Assets		158,750	0.20%
Federal Reimbursements		30,361	0.04%
Contributions from Public Enterprises		5,661,300	7.08%
Reimbursements		5,560,000	6.96%
Other Income		479,650	0.60%
TOTAL REVENUES		$78,088,806	97.71%
Fund Balance - General Fund		1,832,719	2.29%
TOTAL		$79,921,525	100.00%

BUDGET SUMMARY
FISCAL YEAR 7/1/93 - 6/30/94

GENERAL FUND		DEPARTMENTAL APPROPRIATIONS
101-112101-992200-00000	City Council & Internal Audit	$513,959
101-132200-992200-00000	District Court Expenditures	2,627,900
101-132210-992200-00000	Probation	305,750
101-132220-245100-00000	Circuit Court Rental	74,225
101-172300-992200-00000	Mayor	290,372
101-173100-992200-00000	Budget/Labor Relations	369,520
101-173130-992200-00000	Computer & Communications Services	1,482,409

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

101-173150-992200-00000	Central Garage	1,525,080
101-172400-992200-00000	City Clerk	375,894
101-172601-992200-00000	Municipal & Neighborhood Development	1,727,662
101-172700-992200-00000	Finance	2,602,226
101-172800-992200-00000	Personnel Services	552,200
101-172900-992200-00000	City Attorney	719,100
101-173840-991509-00000	Potter Park Zoo Fund (Subsidy)	1,100,000
101-173840-991512-00000	City Market (Subsidy)	140,000
101-173840-991516-00000	Cemetery Fund (Subsidy)	428,000
101-173901-992200-00000	General Administration	24,710,100
101-173901-992200-13055	General Fund Debt	229,600
101-343201-992200-00000	Police Department	15,211,113
101-343501-992200-00000	Fire Department	11,227,460
101-453603-992200-00000	Public Service (GF)	3,459,830
101-672500-992200-00000	Human Relations	330,450
101-783860-992200-00000	Parks & Recreation	4,781,719
101-833710-992200-00000	Human Service Agencies	911,425
101-834101-992200-00000	City Supported Activities	1,023,588
101-933901-992200-00000	Capital Improvements	3,201,443
	TOTAL GENERAL FUND	$79,921,525
NON-GENERAL FUND		
202-453634-992200-00000	Act 51 - Major Streets	$5,692,320
203-453634-992200-00000	Act 51 - Local Streets	2,719,140
252-932651-992200-00000	Community Development Block Grant	2,183,916
265-343253-992200-00000	Drug Forfeiture	638,396
301-874400-992200-00000	Debt Service Fund	3,609,495
304-874400-992200-00000	Special Assessment Bond Funds	106,800
509-783835-992200-00000	Potter Park Zoo Fund (1)	335,604
516-173840-992200-00000	Municipal Cemeteries Fund (1)	335,215
584-783850-992200-00000	Municipal Golf Fund	1,233,492
585-453642-992200-00000	Parking System	6,798,844
590-453670-992200-00000	Wastewater System	16,204,218
596-453622-992200-00000	Refuse & Recycling	3,570,140
	T.I.F.A.	3,770,261
	TOTAL NON-GENERAL FUND	$47,187,841
	GRAND TOTAL ALL FUNDS	$127,109,366
MEMO FUNDS		
640-453623-992200-00000	Service Garage	$3,341,524
760-132201-992200-00000	District Court Fund	$2,627,900
765-174170-992200-00000	Workers' Compensation Fund	$1,063,400

(1) Number shown is exclusive of General Fund subsidy amount.

RESOLUTION #284
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Joseph Ascione has applied for renewal of the cabaret license for Dreamgirls, located at 5910 South Pennsylvania; and

WHEREAS, all required administrative approvals have been granted in accordance with Chapter 808 of the City Code; and

WHEREAS, the license renewal application has been reported to this Council for final action; and

WHEREAS, during discussion by the Committee on General

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Services, several complaints about Dreamgirls, generated by neighboring residents during the past year, were recalled by members of the Committee, including lack of maintenance on the fence separating the Dreamgirls parking lot from adjacent properties, excessive noise after 11 PM, calls for LPD service due to fights in the parking lot, and hotrodding of cars leaving the parking lot; and

WHEREAS, the Committee lacks documented evidence that would justify a recommendation to deny the cabaret license renewal for Dreamgirls, but believes that the Administration should keep records of all City Code violations and calls for police service at licensed cabarets for examination during the annual renewal period;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the 1993-94 cabaret license renewal for Dreamgirls, at 5910 South Pennsylvania; and

BE IT FURTHER RESOLVED the Administration is requested to follow up on the above-mentioned complaints about this establishment, and keep a record of complaints and actions taken at all cabarets licensed by the City, to be made available to this Council when renewal applications are reviewed.

May 17, 1993

By Councilmember Benavides

To amend the resolution in the last paragraph to delete the language after the word establishment and add the following language "and to submitt quarterly updates regarding complaints at this address. BE IT FINALLY RESOLVED, that the City Attorney is requested to advise the City council on any and all legal alternatives to deal with these types of problems"

By Councilmember Belen

To call the question to a vote

Carried unanimously

The above stated amendment was adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Brockwell, Canady, Ford, Schmidt

NAYS: Councilmembers Lilly

By Councilmember Belen

To place an affirmative roll on the resolution as amended

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford

NAYS: Councilmembers Lilly, Schmidt

RESOLUTION #285
BY: ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-9-84, at 6810-6820 S. Cedar Street, Lansing, Michigan and issued a Commercial Facilities Exemption Certificate (84-016) for restoration of an existing facility at 6810 S. Cedar Street to Long Development, Inc. on December 17, 1984 to remain in effect for twelve years; and

WHEREAS, Lansing Clarion Limited Partnership, having received the above-mentioned property by conveyance from Long Development, Inc. has applied for the transfer of this Commercial Facilities Exemption Certificate for the remainder of the twelve year certificate; and

WHEREAS, it is necessary to hold a public hearing prior to this Council's taking action on Lansing Clarion Limited Partnership's application for the transfer of the Commercial Facilities Exemption Certificate.

NOW, THEREFORE, BE IT RESOLVED, that the City Clerk give at least (10) ten days notice of a public hearing when all persons interested may attend and make any objections they may have to the transfer of the Certificate; and

BE IT FURTHER RESOLVED, that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Commercial Redevelopment District (CRD-9-84); and

BE IT FINALLY RESOLVED, that such hearing shall be held in the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, June 7, 1993 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

By Councilmember Belen

Carried unanimously

ORDINANCES FOR INTRODUCTION

There are no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There are no Ordinances for Passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Beal, a Committee Report from Intergovernmental Relations regarding a request for waiver of fees for the use of the Civic Center Terrace Room

HANDLED AS RESOLUTION #276

2/ From Councilmember Schmidt, a request that the rules be suspended to allow for a presentation by the Greater Lansing Safety Council during Special Ceremonies

THE RULES WERE SUSPENDED AND SUZY CARTER OF THE GREATER LANSING SAFETY COUNCIL MADE A PRESENTATION DURING THE SPECIAL CEREMONIES PORTION OF THE AGENDA

3/ From Councilmember Lilly, a request that the rules be suspended to allow for inclusion of a Public Hearing on SLU-02-93, 911 W. Hillsdale that was inadvertently omitted from the agenda

THE RULES WERE SUSPENDED AND A PUBLIC HEARING WAS HELD IN CONSIDERATION OF SLU-02-93

4/ From Councilmember Belen, a resolution from the Economic Development Committee setting a Public Hearing for June 7, 1993 in consideration of transfer of Commercial Facilities Exemption Certificate from Clarion Limited Partnership to Long Development, Inc.

HANDLED AS RESOLUTION #285

5/ From Councilmember Ford, a request that the rules be suspended to allow the group, present to discuss the moratorium on tree cutting, be allowed to make their comments during Public

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Comment on Action Items

THE RULES WERE SUSPENDED AND INDIVIDUALS WERE ALLOWED TO MAKE COMMENTS REGARDING THE TREE CUTTING MORATORIUM DURING PUBLIC COMMENT ON ACTION ITEMS

MAYOR'S COMMENTS

Mayor Crawford thanked Department Heads, Budget Office, and Council for their very professional treatment of this budget. Communication was good and the process was smooth. He has had calls and letters about tall grass and weeds. These should be directed to the Building Safety Department at 483-4355 who will mail out copies of the ordinance governing this situation.

COUNCILMEMBER'S COMMENTS

Councilmember Beal reported that some of the fountains on the Riverwalk are non-functional and asked that the Mayor look at them. It would be nice to have more drinking fountains on the walk too. She reported that the softball scoreboard at Gier Park does not light up. It needs repair. She sent a letter to the Mayor regarding property at 109 N. Larch. Mr. Powers has now informed her that he has received a condemnation notice. He does not want to sell this property. She thanked Beth Monteith for her tireless efforts on behalf of the City. She will be sorely missed by both City Council and the Planning Board.

Councilmember Schmidt reported having a pleasant visit at the Potter Park Zoo. It was clean and there were a lot of new things to see. The farm exhibit is coming along very well and the concession stand is looking good. It is evident that they are paying a lot of attention to detail. The "Michigan Parades into the 21st Century" parade on Saturday was a great event for the downtown area. The Public Safety Committee will take up the traffic control requests from tonight's agenda this Wednesday.

Councilmember Ford said that he announced the "Michigan Parades into the 21st Century" parade from the corner of Capital and Michigan. He thanked Duane Vernon for organizing the parade. He reported receiving calls from individuals trained as fire fighters. They were not hired by the Lansing Fire Department while untrained individuals were hired. This costs the city more money for training. We should either be hiring the individuals who will come to us trained, or, eliminate the training requirement.

Councilmember Brockwell said that the residents of the West Side Neighborhood Association were given adequate notice of tree removal in their area. They were notified last fall. There have been mistakes made with this project but they were corrected as soon as they were detected by the Public Service Department. Seventy-seven trees were scheduled for removal and only fifty-five were removed. This is because of their efforts to minimize tree loss.

CITIZENS MAY COMMENT

William Bernstein of 420 Baker St. accused Council President Canady of protecting the Attorney's in the Law Department. City Council Chambers were paid for by the citizens of the City.

Gracie Ainsley of 911 W. Hillsdale spoke in support of her request for special land use, SLU-02-93. Councilmember Lilly said that her request will be taken up at the Physical Development Committee meeting on Thursday at 3:00 in the City Council Conference Room.

Frank Curtis of 1137 W. Allegan said that his arrest by City Council has caused his kids to decide to live in Mississippi. He asked for a business card from the City Attorney. He wants to be paid for what the City did to him. He wants reparation. There is no toilet paper in the City jail, he said.

Shirley Murray of 1720 Bradley said that when Council voted for the Emmanual First Evangelical Lutheran Church rezoning and special land use, they demonstrated how they feel about neighborhoods and neighborhood associations. South Baptist Church in her neighborhood tore down a house for parking. They had not gotten permission to use this property as a parking lot when they did so. They are trying to get that permission now. The Planning Board recently scheduled a meeting regarding this issue without informing the neighborhood association about it. The neighborhood association is trying to get the Church to promise to not tear down any more houses.

Andrew Anthos, no address given, said he has collected 25,000 signatures of people who approve of the D.O.M.E. project. He thanked everyone everywhere who has endorsed his project.

Lloyd Teets of 116 E. Elm St. spoke regarding the Early Retirement Lawsuit. They only want the answer to one question. Was it legal to pass the early out incentive by resolution rather than by ordinance. The thirty complaints they received about Dreamgirls do not amount to diddly.

Tim McBride of 328 N. Magnolia stated that he is a Vietnam veteran. He was recently jailed in the City jail because he did not have a drivers license. Subsequently, he was accused of planning to blow-up the governor's office.

Margaret Scroll from St. Johns, reported making a F.O.I.A. request regarding the Board of Water & Light to the City Attorney a few weeks ago and would like to know when she could expect a response. Al Knot, City Attorney responded that it takes approximately 60 days because they give the Board of Water & Light an opportunity to make a response before answering. This way their response is based on information from both sides of the issue.

Harold Leeman of 529 N. Francis said that he has heard several complaints about people not being able to get to the parade in downtown Lansing last Saturday because of traffic jams. Please take steps to insure that this problem does not arise next year. There are lights on top of City Hall that are directed toward the Capitol Building. Hopefully the Mayor will do something regarding Mr. Anthos' D.O.M.E. project.

Paul Scott of 412 W. Kilborn said he was interested in Mr. Worthington's comments about transitional housing centers in the Lansing area because the Housing Resource center is locating a transitional housing unit in his neighborhood.

ADJOURNED

MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, May 24, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
May 24, 1993

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Canady

ABSENT: Councilmembers Beal, Belen, Brockwell, Canady, Ford, Lilly, Schmidt

PRESENT: Councilmember Benavides

The Invocation and Pledge of Allegiance were led by Councilmember Belen

CONSIDERATION OF LATE ITEMS

There were no late items

SCHEDULED PUBLIC HEARINGS

A. In consideration of the establishment of two Special Assessment Districts, setting of the Boundaries thereof, services to be provided, estimated cost of Special Assessments and proportion of amounts to be assessed for the Washington Mall and Environs

The following people spoke in opposition to the increase in special assessments;

-H.A. Welch 406 W. Washington, Owner of Captol Fur Co. and three other storefronts on Washington Ave.
-Dan Powers 401 S. Washington
-Dimitri Stathopoulos of 106 & 104 S. Washington Ave.
-Lee Shunk, Jr. of 601 Leslie St.
-Lloyd Teets of 116 E. Elm St.
-Frank Curtis of 1137 W. Allegan
-Andrew Anthos, no address given

and the following people spoke in support of the increase in Mall Maintenance Assessments;

-Robert Bennett of 1601 Robertson

the City Clerk announced receipt of written protests from the following;

-Hiralal Patel of 1825 S. Washington for property located at 303 S. Washington
-T. Michael Doyle of 427 S. Capitol Ave.
-Timothy G. Holland of 127 E. Washtenaw Ave.
-Greater Lansing Convention Exhibition Authority of 333 E. Michigan Ave.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

PUBLIC COMMENT

Lee Shunk of 601 Leslie St. protested the ordinance for loitering in areas where prostitution occurs, saying that he hopes people are not arrested for waiting at bus stops or walking and jogging their dogs.

Lloyd Teets of 116 E. Elm St. said he lives in an area where prostitution occurs and does not want to be arrested for sitting out in front of his house. His objections to the rule #19 revision are too numerous to be mentioned in the time allowed. He will exercise his civic responsibility and ignore these rule revisions, at will, in support of the right to freedom of speech and redress of grievance. He will put the rule about signs on the 10th floor to the test on the first night it is in effect. He is willng to go to jail over this.

Frank Curtis of 1137 W. Allegan read an opinion written by Chief Justice, William Renquist regarding the freedom of speech issue. He announced that he will not abide by Rule #19. This is a misrepresentation of the people. He asked who makes the judgement call to determine who is a prostitute and who is not.

Ken Vaughan of 114 Garden St. said that the loitering ordinance restricts the movements of citizens. The wording should be changed so that people will be protected rather than prosecuted. Council should work as hard to get along with people as they do to put them in jail.

Russell Greear of 3801 Walton Dr. said the loitering ordinance should be forgotten. People should not have to worry about being arrested while walking down to the store for groceries. Council, he said, is violating the rights of the public by passing stupid ordinances and laws against the people who pay their salaries. He has contacted the Justice Department about this.

Margie Ojibway of Ward 4, Precinct 11 said that sometimes people do desperate things to supplement their income. We should be providing them with additional money, rather than putting them in jail. Women who have kids need laundry facilities provided for them.

Paul Scott of 412 W. Kilborn spoke in support of the loitering ordinance. Prostitution is encroaching into many neighborhoods, including his. The neighborhoods brought this problem to the attention of the Administration. They used to blockade neighborhoods to keep prostitution out. This will effect the same type of protection as the ordinance for loitering in a drug area. He is in support of Rule #19, and of the Transfer of Funds for bulk stickers, for low income people, who could not otherwise afford them.

Robert Bennett of 1601 Robinson thought the public would have more chances to comment on Rule #19 before it was passed. Councilmember Ford explained that Rule #19 revisions would not be passed until next week. This is just the introduction of them. The public will be allowed to make comments at next week's meeting also.

Harold Leeman of 529 N. Francis asked if President Canady is, technically, Mayor in the absence of Mayor Crawford? President Canady responded affirmatively. Mr. Leeman asked that the City Clerk read Item X B-2, letter from the City Clerk regarding the method used for canvassing of petitions for the City's primary election in August. He questioned the possibility of city retirees working for audit firms that will be contracted to audit city businesses. If these firms do employ any retirees, there should be full disclosure about it. How much money will the Teamsters

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

contract cost the City? He asked that adoption of the revisions to Rule #19 be delayed until after the holiday.

COMMUNICATIONS AND PETITIONS

By Councilmember Belen

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Canady

Carried unanimously

A. Claim filed by attorney's on behalf of their client, Mina Mae Malcolm

REFERRED TO THE CITY ATTORNEY

B. Eaton County 1993 Property Tax Rate Request

REFERRED TO THE MAYOR

C. Letter from the United States Environmental Protection Agency regarding Permit for National Pollutant Discharge Elimination System (NPDES), No. MI0023400, Issued to the City of Lansing Wastewater Treatment Plant by Michigan Department of Natural Resources

REFERRED TO THE MAYOR

D. Letter from the State of Michigan Department of Transportation submitting the contract between the City of Lansing and MDOT for construction of an additional lane along Highway I-496

REFERRED TO THE MAYOR

E. Letter from Debbie L. Heefner, property owner at 719 Community, regarding trash violation nuisance fees

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PUBLIC SERVICES

F. Claim appeal from Cheri L. Cowles for property located at 131-133 Leslie St. owned by Fochtman Venture Management, Inc.

REFERRED TO THE CITY ATTORNEY AND
THE COMMITTEE ON GENERAL SERVICES

G. Notice from the State of Michigan, Liquor Control Commission of the cancellation of a request for a new Dance-Entertainment Permit to be held in conjunction with a 1993 Class C and SDM License with Sunday Sales and Official Permit for Ramon's Restaurant Inc. of 718-720 E. Grand River

RECEIVED AND PLACED ON FILE

H. Letter from Paulo Gordilla, no address given, requesting that Grand Ave. be re-named to Cesar Chavez Ave. to memorialize Mr. Chavez

REFERRED TO THE MAYOR AND
THE TRI-COUNTY REGIONAL PLANNING COMMISSION

I. Letter from Bob Wilson, President of Capital City River Runners supporting the proposed expansion of the River Trail

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

EXECUTIVE ASSISTANT TO THE MAYOR COMMENTS

Mr. Boyd reviewed Mayor Crawford's letters on tonight's agenda. The transfer for the Police Department is to implement a new program that put Police Officers on bicycles in Community Policing areas. The areas would include the Riverwalk and City Parks.

CITY OFFICER AND BOARD REPORTS

A. **RESOLUTION #286**
May 17, 1993
President Canady and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

CABARET: Sammy's Inc., Silver Dollar Saloon
PUBLIC DRIVER: James Jellison

Sincerely,
Marilynn Slade, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

1. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of May 17, 1993 for Review

RECEIVED AND PLACED ON FILE

2. TO: Mayor James A. Crawford
Council President Canady and Fellow Councilmembers
FROM: Marilynn Slade, City Clerk/Chairperson, Election Commission
DATE: May 18, 1993
SUBJ: Update on Process Adopted by the Election Commission Regarding Canvassing of Petitions

This memo is to update you on the results achieved by the new process adopted by the Election Commission for the canvassing of petitions for City of Lansing offices.

Our Office received a total of 29,719 signatures to be canvassed for all of the City of Lansing offices that will be on the August 3, 1993, ballot. If the canvass of these signatures had been done using the line-by-line method, it would have taken 2,477 hours of time to canvass these signatures at an estimated cost of $28,233.05. These cost estimates are based upon data collected during the canvassing of the Citizens for a Better Lansing term limitation ballot proposal in November, 1992. Of the 34 total candidate filings that were canvassed, 30 of them were received in the final month. With a staff of only two full-time employees in the Election Unit, it becomes obvious that we would have had to add many temporary employees and work massive overtime in order to get these filings canvassed by the deadline. Instead, the new canvassing process required only 10% of the time and cost shown above. This produced a savings of $25,409.75 for the August primary election canvass.

We received no complaints from any candidate that the process did not produce a reliable and fair result. Candidates were notified of the results of the canvass within an average time of 2-3 days after submitting their filing. This, on several occasions, gave candidates additional time to obtain more signatures before

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

the filing deadline if the canvass showed them to either be short of signatures or close to the minimum.

The 10% sample proved to be very close to the actual results of a line-by-line canvass in every instance that it was tested. A citizen group of six reviewed one candidate's petitions for three days. They stated that they selected this candidate because, at the time selected, this filing showed the lowest percentage of extra signatures using the 10% projection. Their review of this filing failed to achieve enough of a difference from the 10% projection to produce a challenge to the candidate's filing.

We had three total instances where the 10% projection showed that the candidate was below the minimum number of signatures required. Our process calls for a line-by-line canvass of the petitions when this situation occurs. A line-by-line canvass of these filings produced a result within 5-17 signatures of the projection.

Because of the above, I feel that the new canvassing process was a resounding success. We have the largest slate of candidates for a primary seen in at least the last fifteen years and were able to have all filings canvassed and certified by the deadline without significant overtime and with two June elections being worked on at the same time.

The staff of the City Clerk's Office did an outstanding job of completing the canvassing of these petitions. They have been working under extreme pressure in the last month due to multiple deadlines for the canvassing of petitions, the June 2d State of Michigan Election and the June 14th LCC Board of Trustees Election. They performed in a very professional and organized manner to keep these multiple priorities on target. I wish to commend the entire staff for their efforts in this regard.

I also wish to commend my fellow members of the Election Commission, Al Knot and Marion Hahn, for their willingness to meet on a moment's notice to respond to each candidate's petition filing and for adopting the new process.

I would like to take this opportunity to again recommend that Councilmembers place a ballot proposal on the August or November, 1993 ballot to change the City Charter with regards to the requirements for nominating petitions for city officials. A ballot proposal requiring a filing fee of $100 or 50-100 signatures would be much more in line with what is required by cities similar in size to Lansing. If council is interested in pursuing this matter, the deadline for final wording for a ballot proposal for the August election is June 15th. That means that action would need to be taken by the June 14, 1993, Council meeting at the latest.

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1. ACT-10-93, Property on the 200 Block of W. Grand River

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

2. ACT-11-93, West Side of 1400 Block Turner St.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

3. ACT-21-92, 1713 Sunset Ave.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

4. Change of Intent—Patrol Bicycles

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

5. **RESOLUTION #287**

TO: Council President Mark Canady and City Councilmembers
FROM: James A. Crawford, Mayor
DATE: May 20, 1993
SUBJ: Proposed Ordinance: Loitering in Prostitution Area

Attached is a proposed ordinance regarding loitering in a prostitution area. This ordinance is patterned after the existing ordinance against loitering in a drug area. If this proposed ordinance is adopted, it will be added as a new section (630.14) to the Lansing Code of Ordinance. I would request that this proposed ordinance be referred to Committee and a public hearing be set for Tuesday, June 1, 1993.

Your review and appropriate action is appreciated.

By Councilmember Schmidt

To accept the recommendations of the Mayor and approve the attached introduction of ordinance and setting of public hearing, Resolution #287

Carried unanimously

INTRODUCTION OF ORDINANCE

AMENDING CHAPTER 630, BY ADDING A NEW SECTION, SECTION 630.14

LOITERING IN PLACES WHERE PROSTITUTION OR SOLICITATION OCCURS

By Councilmember Schmidt

That the following ordinance of the City of Lansing, Michigan providing that the Code of Ordinances be amended by

Amending Chapter 630, by Adding a New Section, Section 630.14 for the purpose of providing for the Prohibition of Knowingly Loitering in Places where Prostitution or Solicitation Occurs

Was introduced by Councilmember Schmidt, read a first and second time by its' title and referred to the Committee on Public Safety

RESOLUTION 287
RESOLUTION SETTING PUBLIC HEARING

By Councilmember Schmidt

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, June 1, 1993 at 7:00 P.M. in the City Council Chambers on the 10th Floor of Lansing City Hall located at 124 W. Michigan Avenue for the purpose of considering an Amendment to Chapter 630, by Adding a New Section, Section 630.14 for the purpose of providing for the Prohibition of Knowingly Loitering in Places where Prostitution or Solicitation Occurs

Interested persons are invited to attend this public hearing

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

COMMITTEE REPORTS

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

RESOLUTION #288

THE COMMITTEE ON GENERAL SERVICES, to whom was referred City Council Rule #19, which governs order and decorum at meetings,

REPORTS AS FOLLOWS: The Committee held a special evening meeting for the purpose of receiving public comment on Rule #19 and the matter of order and decorum at Council meetings. With the assistance of the Council's Channel 28 staff and volunteers, the Committee televised the meeting and took testimony from citizens present in the Chambers as well as by telephone from citizens watching the cablecast.

Using this testimony, plus Councilmember comments during Committee of the Whole meetings, the Committee developed a revision to the Council Rules. The first revision is to the Order of Business of Council found in Rule #16. Special Ceremonies are moved ahead of Scheduled Public Hearings, and Citizen Comment on City Matters is moved ahead of Remarks by the Mayor and Councilmembers.

The Committee made several changes to Rule #19:

—Current Rules #4 and #6 are made part of Rule #19 because they state duties of the Presiding Officer.

—Admittance to the Council area of the Chambers (meaning the Council side of the bar) shall require permission of the Presiding Officer.

—Signs, displays, peddling, and solicitations shall be prohibited on the 10th floor during Council meetings.

—Public speakers will be required to pre-register before speaking on action items or speaking at the end of the agenda on City matters. All speakers must give their names and home mailing addresses.

—Extension of a speaker's allotted time shall be a five-vote motion in all cases.

The language of Rule #19 is consolidated in several areas so that, despite the additions of new matter, the revised rule is about the same length as the current rule.

The Committee reports these revisions with a recommendation to adopt them by resolution at the June 1, 1993, meeting.

The Committee further recommends that the Channel 28 series entitled "Citizens' Soapbox", which was authorized by Resolution #218 adopted April 20, 1992, be cancelled.

Signed: Charles Ford
Alfreda Schmidt
Robert Brockwell

BY COUNCILMEMBER FORD:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

May 24, 1993

PROPOSED REVISIONS TO
THE CITY COUNCIL RULES AS RECOMMENDED
BY THE COMMITTEE ON GENERAL SERVICES

[DELETE CURRENT RULE #4 AND SEE RULE 19, SECTION 1.B BELOW]

[DELETE CURRENT RULE #6 AND SEE RULE 19, SECTION 1.A BELOW]

Rule 16. ORDER OF BUSINESS. The order of business of Council shall be on the printed agenda prepared by the Clerk and shall be as follows:

1. Roll Call
2. Invocation and Pledge of Allegiance
3. Reading and approval of printed Council Proceedings
4. Motion to suspend Council Rule 11 to allow consideration of late items at the end of the agenda (if deemed necessary and appropriate)

*5. Special Ceremonies, if any

6. Scheduled Public Hearings (five minute limit per speaker)
7. Public Comment on items of business identified on the agenda for action, including City Officer and Board Reports, Committee Reports, Resolutions, Ordinances, and late items approved for ACTION (five minute limit per speaker)
8. Receipt of Communications and Petitions for information or referral
9. Mayor or Executive assistant to the Mayor may comment on agenda items, including late items
10. City Officer and Board Reports for information, referral, or action
11. Committee Reports for action
12. Resolutions for action
13. Ordinances for introduction and setting of public hearing
14. Ordinances for passage
15. Consideration of late items, if any
16. Tabled items, if any
17. Motion of Excused Absence

*18. CITIZEN COMMENT ON CITY MATTERS (THREE-MINUTE LIMIT PER SPEAKER)

19. Remarks by the Mayor or Executive Assistant to the Mayor
20. Remarks by Councilmembers
21. Adjournment

* CHANGE IN ORDER FROM CURRENT RULE

Rule 19. RULES OF DECORUM FOR MEETINGS: ADDRESS BY PERSONS

MEETINGS OF COUNCIL SHALL BE CONDUCTED IN AN ORDERLY MANNER TO ENSURE THAT MEMBERS OF THE PUBLIC HAVE A REASONABLE OPPORTUNITY TO BE HEARD WHILE RETAINING AT ALL TIMES THE DELIBERATIVE PROCESS OF COUNCIL. WHILE ANY MEETING OF COUNCIL IS IN SESSION, THE FOLLOWING RULES OF ORDER AND DECORUM SHALL BE OBSERVED;

1. THE PRESIDING OFFICER SHALL BE RESPONSIBLE FOR MAINTAIN,ING ORDER AND DECORUM OF ALL MEETINGS OF COUNCIL AND IT S COMMITTEES AND COMMITTEES APPOINTED BY COUNCIL.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

A. THE PRESIDING OFFICER SHALL RECOGNIZE A COUNCILMEMBER WHO WISHES TO SPEAK. WHEN TWO OR MORE COUNCILMEMBERS WISH TO SPEAK AT THE SAME TIME, THE PRESIDING OFFICER SHALL NAME THE COUNCILMEMBER WHO IS FIRST TO SPEAK. NO COUNCILMEMBER SHALL SPEAK WITHOUT FIRST HAVING BEEN RECOGNIZED BY THE PRESIDING OFFICER *(OLD RULE 6)*

B. THE PRESIDING OFFICER SHALL DECIDE ALL QUESTIONS ARISING UNDER THE RULES OF COUNCIL AND PARLIAMENTARY PROCEDURE AS SET FORTH IN MASON'S MANUAL OF LEGISLATIVE PROCEDURE, SUBJECT TO AN APPEAL, WHICH APPEAL SHALL BE DETERMINED BY AN AFFIRMATIVE VOTE OF FIVE OF THE COUNCILMEMBERS VOTING. *(OLD RULE 4)*

C. THE PRESIDING OFFICER MAY INTERRUPT ANY SPEAKER AT ANY TIME TO RULE ON A POINT OF ORDER RAISED BY ANY MEMBER OF COUNCIL. THE SPEAKER SHALL YIELD THE FLOOR UNTIL THE POINT OF ORDER HAS BEEN STATED AND A RULING MADE. ANY APPEAL BY A MEMBER OF COUNCIL ON A RULING BY THE PRESIDING OFFICER SHALL BE DECIDED BEFORE THE BUSINESS OF THE MEETING CONTINUES.

D. THE PRESIDING OFFICER SHALL GRANT ADMITTANCE TO THE COUNCIL AREA INSIDE THE BAR TO THE ADMINISTRATION, COUNCIL STAFF, THE WORKING PRESS AND THOSE PRESENT FOR PARTICIPATION IN SPECIAL CEREMONIES. NO OTHER PERSON SHALL ENTER THE COUNCIL AREA WITHOUT PRIOR WITHOUT PRIOR PERMISSION OF THE PRESIDING OFFICER.

2. MEMBERS OF COUNCIL AND OTHER MEETING PARTICIPANTS SHALL BE ORDERLY AND DECOROUS DURING MEETINGS;

A. COUNCILMEMBERS; THE MEMBERS OF COUNCIL SHALL HOLD EQUAL RESPONSIBILITY FOR PRESERVATION OF THE ORDER AND DECORUM OF THEIR MEETINGS. COUNCILMEMBERS SHALL NOT, BY CONVERSATION OR OTHER MEANS, DELAY OR INTERRUPT THE PROCEEDINGS OR DISTURB ANOTHER COUNCILMEMBER RECOGNIZED TO SPEAK BY THE PRESIDING OFFICER, EXCEPT TO RAISE A POINT OF PARLIAMENTARY PROCEDURE OR MAKE AN APPEAL OF A RULING BY THE PRESIDING OFFICER.

B. CITY OFFICERS, EMPLOYEES, AND GUESTS; OTHER ELECTED OFFICIALS, CITY EMPLOYEES, AND THEIR INVITED GUESTS SHALL OBSERVE ALL RULES OF ORDER AND DECORUM AT ALL TIMES DURING COUNCIL MEETINGS, AND MAY ONLY SPEAK WHEN RECOGNIZED BY THE PRESIDING OFFICER.

C. MEMBERS OF THE AUDIENCE; ALL PERSONS OBSERVING A MEETING OF COUNCIL FROM THE PUBLIC AREA OF THE COUNCIL CHAMBERS SHALL BE IN ORDER AND DECOROUS AT ALL TIMES, AND SHALL OBEY THE PRESIDING OFFICER. ANY PERSON WHO REFUSES TO BE SILENT WHEN CALLED TO ORDER BY THE PRESIDING OFFICER SHALL BE SUBJECT TO IMMEDIATE REMOVAL FROM THE COUNCIL CHAMBERS BY THE SERGEANT-AT-ARMS. MEMBERS OF THE AUDIENCE SHALL NOT DISTURB THE PROCEEDINGS OF ANY COUNCIL MEETING WITH VOCAL DEMONSTRATIONS. SIGNS, DISPLAYS, PEDDLING AND SOLICITATIONS SHALL BE PROHIBITED ON THE 10TH FLOOR OF CITY HALL DURING COUNCIL MEETINGS.

D. PUBLIC WHEN ADDRESSING COUNCIL; ALL MEMBERS OF THE PUBLIC WHO ADDRESS COUNCIL SHALL DO SO AT THE SCHEDULED TIME AND FROM THE PODIUM.

1. DURING REGULAR COUNCIL MEETINGS, MEMBERS OF THE PUBLIC SHALL HAVE THREE OPPORTUNITIES TO ADDRESS COUNCIL:

a. SCHEDULED PUBLIC HEARINGS (AGENDA ITEM VI); UPON ANNOUNCEMENT OF THE TOPIC OF A SCHEDULED PUBLIC HEARING, EACH SPEAKER SHALL HAVE A MAXIMUM OF FIVE MINUTES TO COMMENT ON THE SUBJECT OF THE HEARING.

b. COMMENT ON AGENDA ACTION ITEMS (AGENDA ITEM VII); SPEAKERS SHALL PRE-REGISTER AT THE REAR OF THE COUNCIL CHAMBERS TO COMMENT ON ITEMS OF BUSINESS IDENTIFIED FOR ACTION ON THE COUNCIL AGENDA. EACH SPEAKER SHALL HAVE A MAXIMUM OF FIVE MINUTES TO COMMENT IN TOTAL, AND BEFORE COMMENCING SHALL IDENTIFY EACH ACTION ITEM THAT IS THE SUBJECT OF HIS OR HER COMMENT.

c. CITIZEN COMMENT ON CITY MATTERS; (AGENDA ITEM XVIII); SPEAKERS SHALL PRE-REGISTER AT THE REAR OF THE COUNCIL CHAMBERS TO ADDRESS COUNCIL ON MATTERS WITHIN THE JURISDICTION OF THE CITY. EACH SPEAKER SHALL HAVE A MAXIMUM OF THREE MINUTES TO COMMENT IN TOTAL.

2. SPEAKERS SHALL OBEY DIRECTIONS FROM THE PRESIDING OFFICER AND SHALL GIVE THEIR FULL NAMES AND HOME MAILING ADDRESSES, AND THEN AWAIT RECOGNITION FROM THE PRESIDING OFFICER BEFORE PROCEEDING WITH THEIR COMMENTS.

3. SPEAKING TIME SHALL COMMENCE WHEN THE PRESIDING OFFICER RECOGNIZES THE SPEAKER. SPEAKERS SHALL PRESENT THEIR COMMENTS IN A BUSINESSLIKE MANNER. UNEXPIRED TIME ON A SPEAKER'S LIMIT CAN NOT BE RESERVED, CARRIED FORWARD, OR DONATED TO ANOTHER SPEAKER. WHEN THE PRESIDING OFFICER ANNOUNCES THAT A SPEAKER'S TIME HAS EXPIRED, THE SPEAKER SHALL LEAVE THE PODIUM.

4. SPEAKERS SHALL NOT MAKE PERSONAL, IMPERTINENT, SLANDEROUS OR PROFANE REMARKS, AND SHALL ADDRESS THE COUNCIL AS A WHOLE.

5. IF A LARGE NUMBER OF SPEAKERS HAVE PREREGISTERED TO ADDRESS COUNCIL, THE PRESIDING OFFICER OR A MAJORITY OF COUNCIL MAY SHORTEN THE TIME LIMITS SET FORTH AND/OR MAY REQUEST THAT COMMENTS ON A PARTICULAR SUBJECT BE LIMITED TO SPOKESPERSONS AUTHORIZED TO REPRESENT PARTICULAR POSITIONS OR VIEWPOINTS

6. THE SPEAKING TIME LIMITS SET BY THIS RULE MAY BE EXTENDED IF FIVE OR MORE MEMBERS APPROVE A MOTION

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

TO EXTEND. WHILE A QUESTION REGARDING EXTENSION OF A SPEAKER'S LIMIT IS BEING DECIDED BY THE COUNCIL, THE SPEAKER SHALL BE ORDERLY AND SILENT UNTIL RECOGNIZED BY THE PRESIDING OFFICER TO CONTINUE

3. ALL OF THE FOLLOWING STEPS MAY BE TAKEN TO ENFORCE THE RULES OF ORDER AND DECORUM AT MEETINGS:

A. WARNING; THE PRESIDING OFFICER SHALL DIRECT THAT A PERSON WHO IS BREACHING THE RULES OF DECORUM BE ORDERLY AND SILENT. IF, AFTER RECEIVING A WARNING FROM THE PRESIDING OFFICER, THE PERSON DOES NOT ACT AS DIRECTED, THE PRESIDING OFFICER MAY DIRECT THE SERGEANT-AT-ARMS TO REMOVE THAT PERSON FROM THE PODIUM OR COUNCIL CHAMBERS, WHICHEVER IS APPROPRIATE.

B. MOTION TO ENFORCE; ANY MEMBER OF COUNCIL MAY MOVE TO REQUIRE THE PRESIDING OFFICER TO ENFORCE THESE RULES, AND AN AFFIRMATIVE VOTE OF A MAJORITY OF COUNCIL ON THE MOTION SHALL COMPEL THE PRESIDING OFFICER TO DO SO. IF THE PRESIDING OFFICER FAILS TO CARRY OUT THE WILL OF A MAJORITY OF COUNCIL, THE MAJORITY MAY DESIGNATE ANOTHER MEMBER OF COUNCIL TO ACT AS PRESIDING OFFICER FOR THE LIMITED PURPOSE OF ENFORCING ANY RULE.

C. RECESS OR ADJOURNMENT; IF A MEETING OF COUNCIL IS DISTURBED OR DISRUPTED IN SUCH A MANNER AS TO MAKE INFEASIBLE OR IMPROBABLE FOR THE RESTORATION OF ORDER, THE MEETING MAY BE RECESSED, ADJOURNED OR CONTINUED BY THE PRESIDING OFFICER OR AN AFFIRMATIVE VOTE OF A MAJORITY OF COUNCIL, AND ANY REMAINING COUNCIL BUSINESS MAY BE CONSIDERED AT THE NEXT MEETING.

(complete with changes through General Services mtg. of 5-19-93)

RESOLUTION #289
The Public Safety Committee

To whom was referred the Mayor's report on a request to change the parking regulations in the 200 block of Townsend Street, reports as follows:

The Transportation Division, Traffic Board, and Mayor recommend that the request to change the parking regulations in the 200 block of Townsend Street be denied. The committee has reviewed the report from the administration and concurs that the request to change the parking regulations in the 200 block of Townsend Street be denied.

0068Signed: Alfreda Schmidt
Tony Benavides
Charles Ford
Public Safety Committee

By Councilmember Schmidt

That the report of the Committee be adopted.

CARRIED UNANIMOUSLY

RESOLUTION #290
THE COMMITTEE ON WAYS AND MEANS, to whom was referred the Audit Committee recomendation to amend the City's current audit contract due to the downsizing of the Internal Audit Staff,

REPORTS AS FOLLOWS: Due to the voluntary reduction in force program the Internal Audit Staff was reduced from three employees to one employee. The City's current auditing services agreement with KPMG Peat Marwick specifies the assistance of Internal Audit for 350 staff hours during each annual audit. During the timeframe in question a total of 320 internal audit staff hours could be made available if every regularly scheduled working hour was devoted solely to assisting the external auditors.

Recognizing the difficulty of this situation the Audit Committee met with external audit representatives to discuss options to the current contract specifications. The most acceptable alternative to all parties is to have the external audit firm assume responsibility for an additional 200 hours of work. Internal Audit will provide 120 hours of work. The balance of 30 hours is deleted due to efficiencies gained by not reviewing internal audit work.

The cost of an additional 200 hours of external auditor staff time is $6,000. Sufficient funds have been budgeted in the Fiscal Year 94 Internal Audit budget to cover this additional cost. The total external audit cost will increase from $45,900 to $51,900 for the Fiscal Year ending June 30, 1993.

The Committee recommends concurrence with the recommendation of the Audit Committee.

SIGNED: Tony Benavides
Bob Brockwell
Alfreda Schmidt
COMMITTEE ON WAYS AND MEANS

BY COUNCILMEMBER BENAVIDES: That the Report of Committee be approved.

CARRIED UNANIMOUSLY

May 23, 1993.

RESOLUTION #291
THE COMMITTEE ON WAYS AND MEANS, to whom was referred the recommendation from the Audit Committee regarding the selection of the external audit firm for the Greater Lansing Convention/Exhibition Authority audit for the fiscal years ending June 30, 1993, 1994, 1995, 1996 and 1997,

REPORTS AS FOLLOWS: The Audit Committee solicited proposals from external independent public accounting firms to perform an audit of the Greater Lansing Convention/Exhibition Authority for the fiscal years ending June 30, 1993, 1994, 1995, 1996, 1997.

Seven proposals were received and evaluated. The Committee unanimously recommends the firm of Rehman Robson & Company.

Rehman Robson exceeds all of the Council's audit specifications and they have extensive experience in auditing the public sector. Of the seven firms evaluated, Rehman Robson was ranked second most qualified. However, the difference in qualifications between the top ranked firm and Rehman Robson does not, in the opinion of the Audit Committee, justify the additional expense of $8,200 over the five year period. Rehman Robson's cost proposal was the lowest received.

SIGNED: Tony Benavides
Bob Brockwell

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Alfreda Schmidt
COMMITTEE ON WAYS AND MEANS

BY COUNCILMEMBER BENAVIDES:

That the Report of Committee be approved.

CARRIED UNANIMOUSLY

RESOLUTION #292
THE COMMITTEE ON WAYS AND MEANS, to whom was referred the recommendation from the Audit Committee regarding the selection of the external audit firm for the Board of Water and Light for the fiscal year ending June 30, 1993,

REPORTS AS FOLLOWS: The Audit Committee solicited proposals from external independent public accounting firms to perform an audit of the Board of Water and Light for the fiscal year ending June 30, 1993 with an option to extend the audit contract for the years ending June 30, 1994 and 1995.

Five proposals were received and evaluated. The Committee unanimously recommends the firm of Deloitte & Touche. The Audit Committee's recommendation has been endorsed by the Board of Water and Light.

The Deloitte & Touche cost proposal of $30,500 for fiscal year 1993 is the second lowest; $1,500 higher than the lowest cost proposal. However, the Deloitte staff expertise in municipal utility auditing and their approach to auditing the Board's electronic data processing functions more than justify the additional expense.

SIGNED: Tony Benavides
Bob Brockwell
Alfreda Schmidt
COMMITTEE ON WAYS AND MEANS

BY COUNCILMEMBER BENAVIDES:

That the Report of Committee be approved.

CARRIED UNANIMOUSLY

May 23, 1993

RESOLUTIONS

RESOLUTION #293
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Norman Ott filed a claim against the City in the amount of $622.76 in protest of a special assessment for a 1989 trash removal from his rental property located at 717 North Verlinden, and said amount includes $300.00 reimbursement for usable materials claimed to have been taken by the City's contractor; and

WHEREAS, after investigation and analysis, the City Attorney's staff recommendation was to deny the claim, and the Claims Review Committee denied the claim on March 9, 1993; and

WHEREAS, the claimant appealed the denial to the City Council, and the claim and the legal recommendation were reviewed by the Committee on General Services; and

WHEREAS, the claimant appeared before the Committee, furnishing testimony and evidence in support of the claim; and

WHEREAS, under the particular circumstances of this situation, the Committee finds that the City has no legal obligation to the claimant but recommends that the claim be settled by offering to reduce the contractor's charge portion of the special assessment and to pay the claimant an additional $50.00 as reimbursement for usable materials taken by the City's contractor during the trash removal;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby offers to settle the claim of Norman Ott by making a one-time cash payment to the claimant in the amount of $116.38; and

BE IT FURTHER RESOLVED the Clerk is requested to forward a copy of this resolution to the City Attorney for action; and

BE IT FURTHER RESOLVED if the claimant does not contact the City Attorney to indicate acceptance of this offer by 5:00 PM on Friday, June 4, 1993, this claim shall be considered denied.

May 24, 1993

By Councilmember Ford

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Ford, Lilly, Schmidt

NAYS: Councilmembers Brockwell, Canady

RESOLUTION #294
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Norman Ott filed a claim against the City in the amount of $257.50 in protest of a special assessment against his rental property located at 1015 South Grand Avenue arising out of a violation of the unsanitary premises section of the Housing Code; and

WHEREAS, the City Attorney's staff recommendation was to grant the claim; and

WHEREAS, the Claims Review Committee disagreed with the staff recommendation and denied the claim; and

WHEREAS, the claimant appealed the denial to the City Council, which referred the claim to the Committee on General Services for investigation; and

WHEREAS, the claimant appeared before the Committee, furnishing testimony and evidence in support of the claim; and

WHEREAS, under the particular circumstances of this situation, the Committee recommends approval of the claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the claim of Norman Ott in the amount of $257.50; and

BE IT FURTHER RESOLVED the Clerk is requested to forward a copy of this resolution to the City Attorney for action; and

BE IT FINALLY RESOLVED the City Attorney is directed to make payment of this amount after appropriate releases are signed by the claimant.

May 24, 1993

By Councilmember Ford

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Brockwell, Ford, Lilly, Schmidt

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

NAYS: Councilmember Canady

RESOLUTION #295
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, David Pizana, on behalf of Christian Gospel Center and First Spanish American Baptist Church, filed a claim against the City in the amount of $360.00 in protest of a special assessment for a trash removal by the City at property located at 213 East South Street; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim, which was concurred in by the Claims Review Committee; and

WHEREAS, the claimants' representative appealed the denial to the City Council and appeared before the General Services Committee, furnishing testimony in support of the claim; and

WHEREAS, the Committee determined that the claimant religious organizations own adjacent properties at 213 and 215 East South Street, both were cited for trash violations on the properties, compliance was not completed within the required period, and the City's contractor cleaned the properties thereafter; and

WHEREAS, the claimant contends that all of the trash was located on the 215 East South property and no special assessment should have been levied against the 213 East South property; and

WHEREAS, the Committee recommends that under the circumstances of this particular claim, the City should offer to settle by removing the administrative service charge of $190.00 from the special assessment against the 213 East South property, leaving the contractor's charge of $170.00;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to offer to settle the claim of David Pizana by reducing the original $360.00 special assessment to $170.00; and

BE IT FURTHER RESOLVED the City Attorney is requested to notify the claimant of this action; and

BE IT FURTHER RESOLVED if the claimant does not contact the City Attorney to indicate acceptance of this offer by 5:00 PM on Friday, June 4, 1993, this claim shall be considered denied.

BY COUNCILMEMBER FORD:

That the resolution be adopted and sent to the City Attorney for follow-up action.

Carried unanimously

May 24, 1993

Item XII B, SLU-02-93, 911 W. Hillsdale, was pulled from the agenda at the request of Councilmember Lilly to be held for one week.

RESOLUTION #296
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 93-006, which authorizes the installation of a multi-way stop at the intersection of Maryland Avenue and May Street.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #297
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 93-007, which requires that all vehicles exiting from the Lansing Community College parking lot and all vehicles on Lapeer Street at the intersection of Capitol Avenue and Lapeer Street turn south onto Capitol Avenue.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #298
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 93-008, which authorizes the installation of yield signs on Cooley Drive at Rossiter Place.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #299
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 93-009, which authorizes the installation of a no parking zone on Eighth Street north of Michigan Avenue.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #300
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 93-010, which authorizes the installation of a no parking zone on Wainwright Avenue north of Jolly Road.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #301
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 93-011, which authorizes changing the parking regulations on the southbound Museum Drive Access Ramp south of Michigan Avenue.

By Councilmember Schmidt

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Carried unanimously

RESOLUTION #302
BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

$3,000 from Parks & Rec. Bgt. Ctrl. A/C 101-783860-992200-0
$3,000 to Cem. Subsidy A/C 101-173840-991516-0
$3,000 from Est. Rev.-Cem. A/C 516-000000-170001-0
$3,000 to Cem. Fd.-Bgt. Ctrl. A/C 516-173840-992200-0
(Additional overtime needed for maintenance prior to Memorial Day.)

$10,000 from Gen. Fd.-Bgt. Bal. A/C 101-000000-390001-0
$10,000 to City Sup. Act. Bgt. Ctrl. A/C 101-834101-992200-0
(Additional very low income bulk pick up stickers. Increased demand largely due to neighborhood clean-ups. To be limited to maximum of two per household through June 30. Memo A/C 101-834101-960130-0)

Submitted by:

John McComb, Principal Operations Analyst

I hereby certify that funds are available.

By Councilmember Brockwell

To approve the two transfers stated above, Resolution #302A and 302B

Carried unanimously

RESOLUTION #303
RESOLUTION SETTING HEARING DATE
(Phase III—Lansing Convention/Exhibition Center and Associated Facilities and Parking System Project)

Minutes of a regular meeting of the City Council of the City of Lansing, County of Ingham, Michigan, held at 7:00 p.m. Michigan time, on May 24, 1993, at which the following members were present and the following were absent:

PRESENT: Councilmembers Beal, Belen, Brockwell, Canady, Ford, Lilly, Schmidt

ABSENT: Councilmember Benavides

The following preamble and resolution were offered by Councilmember Belen and supported by unanimous vote.

WHEREAS, the Tax Increment Finance Authority of the City of Lansing (the "Authority") has prepared a third amended development plan ("Third amended Development Plan") for the Phase III Lansing Convention/Exhibition Center and Associated Facilities and Parking System Project (the "Project"), pursuant to Section 16 of Public Act 450, Michigan Public Acts of 1980, as amended (the "Act"); and

WHEREAS, the Authority has also prepared a Third Amended Tax Increment Financing Plan (the "Third Amended Tax Increment Financing Plan") for the Project, pursuant to Section 13 of the Act; and

WHEREAS, this City Council has received the Third Amended Development Plan and the Third Amended Tax Increment Financing Plan for the Project and wishes to set a date for a public hearing on the Third Amended Development Plan and the Third Amended Tax Increment Financing Plan.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING, AS FOLLOWS:

1. The public hearing upon the Third Amended Development Plan and the Third Amended Tax Increment Financing Plan for the Project shall be held at 7:00 p.m., Michigan time, on the 21st day of June, 1993 in the City Council Chambers, City Hall, in the City of Lansing, County of Ingham, Michigan. At the hearing, the City Council of the City of Lansing shall provide an opportunity for interested persons to be heard and shall receive and consider communications in writing with reference thereto. The hearing shall provide the fullest opportunity for the expression of opinion, for argument on the merits and for introduction of documentary evidence pertinent to the Third Amended Development Plan and the Third Amended Tax Increment Financing Plan. The City Council shall make and preserve a record of the public hearing, including all data presented at the hearing.

2. The City Clerk is hereby directed to publish and mail notice of the hearing, such notice to be in substantially the form attached hereto, in accordance with Section 17 of the Act.

3. The City Clerk is hereby directed to inform the Ingham County Board of Commissioners, the Lansing School Board, the Lansing Community College Board of Trustees, the Capital Area Transportation Authority, the Capital City Airport Authority and the Ingham Intermediate School District of the Third Amended Tax Increment Financing Plan and the public hearing thereon, including the fiscal and economic implications of the Third Amended Tax Increment Financing Plan, so that each of these taxing jurisdictions may have the opportunity to present their recommendations at the public hearing on the Third Amended Tax Increment Financing Plan.

4. Pursuant to Section 20(1) of the Act and the finding by this Council that there are less than 100 persons residing in the Development Area, a project citizens district council is not required for the Project, and therefore such council will not be formed.

5. The City Clerk is hereby directed to forward four (4) certified copies of this Resolution to the Secretary of the Authority.

6. All resolutions or parts thereof in conflict with this Resolution are hereby repealed, but only to extent of such conflict.

YEAS: Councilmembers Beal, Belen, Brockwell, Canady, Ford, Lilly, Schmidt

NAYS: None

ABSTENTIONS: None

ABSENT: Councilmember Benavides

RESOLUTION DECLARED ADOPTED

RESOLUTION #304
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Doris Schoening, Labor Relations Administrator, as Chief Negotiator for the Fraternal Order of Police, 911 Operators Division, contract negotiations, is hereby confirmed.

May 24, 1993

By Councilmember Brockwell

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Carried unanimously

RESOLUTION #305

WHEREAS, the City of Lansing and the International Brotherhood of Teamsters, Chauffeurs & Warehousemen, Local 580 have negotiated a labor agreement for the period covering January 16, 1993 through June 30, 1994; and

WHEREAS, the International Brotherhood of Teamsters, Chauffeurs & Warehousemen, Local 580 membership has ratified this agreement; and

WHEREAS, the Mayor has recommended that the contract be approved; and

WHEREAS, the City Council has reviewed the contract provisions; and

WHEREAS, the proposed agreement is within the parameters established by the City and within budget limitations;

NOW, THEREFORE BE IT RESOLVED, that the City Council hereby ratifies the contract between the City of Lansing and International Brotherhood of Teamsters, Chauffeurs & Warehousemen, Local 580 for the period January 16, 1993 through June 30, 1994; and

BE IT FURTHER RESOLVED, that the City Council authorizes the Administration to process the necessary transfers for the salary and fringe benefit expenses, to fund this agreement.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #306

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, this Council is delighted that City Residents have requested approximately 1,300 flats of annual flowers for planting in public areas of neighborhoods as part of the 1993 City Beautification Week; and

WHEREAS, City beautification is a project that deserves support and effort for more than one week of the year; and

WHEREAS, beautification projects are catalysts to bring neighbors together for positive experiences that create or increase neighborhood pride;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby designates the period between Memorial Day and July 4th, 1993, as Lansing Beautification Month; and

BE IT FURTHER RESOLVED the Council encourages individual residents, families, Neighborhood Watch groups, church congregations, youth organizations, parent-teacher associations, and neighborhood organizations to adopt City parks, medians within boulevards, and parkway areas between curbs and sidewalks for self-directed beautification projects that will give our neighborhoods identity and pride; and

BE IT FURTHER RESOLVED the Mayor is requested to keep track of beautification efforts throughout the City and publicize all that demonstrate the creativity and neighborly spirit of our community.

By Councilmember Brockwell

Carried unanimously

ORDINANCES FOR INTRODUCTION

(See Item X C-5)

ORDINANCES FOR PASSAGE

There were no Ordinances for passage

CONSIDERATION OF LATE ITEMS

There were no late items

MOTION FOR EXCUSED ABSENCE

By Councilmember Schmidt

To excuse Councilmember Benavides from tonight's proceedings

Carried unanimously

MAYOR'S EXECUTIVE ASSISTANT'S COMMENTS

Mr. Boyd announced the Memorial Day Parade to be held Saturday, May 29, 1993 sponsored by the City of Lansing and the Lansing Council of Veterans. They will also conduct a memorial service at the Little Arlington section of Evergreen Cemetery. He reported that thirteen hundred flats of flowers were purchased from Lansing Gardens, most were planted on Saturday, May 22, 1993. He thanked everyone who participated in this project. He reported receiving a telephone call from Mayor Crawford who asked that Council be reminded that he requested that they take their time and not deal with this without a great deal of effort. They must conduct a full range discussion and utilize the full time frame available. Regarding the coverage by the State Journal, they covered this at the Committee of the Whole meeting last Thursday. He wanted them to have factual and complete information available to them when they reported on it so that incorrect information was not released. This was an effort to get concise, easily understood information to the public. Next Monday is a City Holiday. City Hall will be closed and greenbag and recycling pickup will run one day late next week. He congratulated D.A.R.E. graduates city-wide. He sent best wishes to City Attorney, Al Knot, whose father passed away last week.

COUNCILMEMBER'S COMMENTS

Councilmember Brockwell reported green gooey stuff coming out of the sewer on the north side of the west end of the Shiawassee St. bridge. What is this stuff? He announced that Priscilla Holmes, President of the Lansing Neighborhood Council won an award for outstanding contributions to individuals and neighborhoods in Traverse City.

Councilmember Ford said he attended an award banquet at Hill Vocational Education. They have a building and construction program in which students build homes. Students of this program have built 21 homes in Lansing. Many are recipients of scholarship programs at L.C.C. He congratulated the students graduating from the current session. He received 30 thank you letters from the 5th grade class at Verlinden Elementary School for a magic show he did there recently.

Councilmember Schmidt reviewed the plans for the Memorial Day Parade and the Memorial Service to be held at Evergreen Cemetery. Elected Officials of the City will participate in the parade, however, no political advertisements are allowed. She asked that everyone pay honor to the flag by saluting it properly. This is the season for rummage sales, she said, people who hold rummage sales must remember that they are responsible for removing their

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

signs following their sale, or, they are in violation of city ordinance.

Council President Canady announced that City Hall will be closed Monday, May 31, 1993 in observance of Memorial Day. The next City Council meeting will be held Tuesday June 1, 1993.

PUBLIC COMMENTS

William Bernstein of 420 Baker St. spoke in defense of first amendment rights and freedom of speech. Council Chambers belong to the public, he said, and they have the right to come here and express their views without Councilmembers putting words in their mouth.

Darryl Burgess of 1407 Prospect St. suggested turning the Civic Arena into a Community Center, if, the proposed sale to Heart of the City does not go through. The City of Lansing, he said, protected a privately owned hotel from competition. It is a shame that the Civic Center will not be here for future Memorial Days.

Lloyd Teets of 116 E. Elm St. said the Civic Center was sold to the lowest bidder. Proposal A is just another increase in taxes. This amounts to a 50% sales tax increase. He cautioned everyone to think about buying a new car or home and how much more sales tax they will pay. He asked what became of the attempt to find out the worth of the Board of Water and Light.

Tim Lewis of 500 S. Pine asked that Rule #19 be put on the General Services Committee agenda for this Wednesday so that the public may make more comments. He reminded Council that Vivian Bloom originally proposed that City Beautification Week be extended to City Beautification Month.

Bruce Stark of 1147 1/2 S. Washington said his neighborhood is a wonderful place to live these days thanks to Council. The recently planted flowers and Community Policing Officer have made a big difference. He inquired as to when the I-496 overpass would be completed and asked why the residents along Washington Ave. were not notified that the resurfacing of the bridge would take place. Bob Clegg of the Public Service Department answered that this work is being done by the State of Michigan and the Department of Transportation gave press releases to get the word out.

Russell Greear of 3801 Walton complained that City Hall is not handicapped accessible on the first floor. They need an electric door. The City, he said, should keep the Civic Center and get rid of the pole barn. This way they could have conferences and concerts in Lansing. The people do not want to have to go out to East Lansing for them.

Geraldine Klingbiel of 3826 Lowcroft suggested that the Washington Square Mall be enclosed.

Andrew Anthos, no address given, thanked everyone who endorsed his D.O.M.E. project. He predicted that the State of Michigan will be the first to use this type of tribute to our veterans.

Ammahad Shekarakki of 902 W. Willow St. said we should honor veterans throughout the year, rather than just on Memorial Day. He hopes the people remember that this is an election year and that they use some backbone at the polls.

Mr. McKinnon of 3517 Lucie St. indicated that he attended tonight's meeting to see how the democratic process and politics work as part of a project for his government class . His graduation and senior prom last year were held in East Lansing. Why wasn't he able to graduate at the Civic Center and have his prom there? Why should they have to go all the way out to East Lansing? Councilmember Schmidt said that the School Board makes the decisions about where graduation and prom will be held. They meet the first and third Thursday of every month.

Jim Lyons, no address given, reminded everyone that this is the 125th anniversary of Memorial Day. This holiday was established by General Logan. Sunday, May 30, 1993 there will be a memorial service to commemorate veterans of the Civil War on the steps of the Capitol Avenue entrance to the State Captiol.

Ken Vaughan of 114 Garden St. said that Council is canceling the Citizens Soap Box Program because they are taking heat from the public. But, if they tried to get along with the public and do things right, the public would not be trying to give it to them.

Margie Ojibway of 912 W. Ionia said the City is putting all of its' money into non-people projects. Investing in non-living things means that your money will not be returned.

Martha Strolle of St. Johns protested the way that the Board of Water & Light conducts business and treats its' employees. What, she asked, does the City intend to do about it? She reported attending an ADA meeting at the Lansing Center today. The Fire Marshall insisted that they move their meeting to the Civic Center because the Lansing Center was not safe to have it in.

Lester Bidl of 790 Grovenburg, a supervisor for the Washington Mall maintenance workers, reported that the Mall flowers were delivered today and will be planted by the end of the week.

Harold Leeman of 529 N. Francis asked that all Councilmembers be present at the next Committee of the Whole meeting. They need a consensus of where this Council and Administration want to head regarding the Parking System TIFA bond issue and the Civic Center. This administration, he said, has to be careful about using public relations people to put their side of the story out to the public. He reported a large pothole that needs work at the corner of Francis and Vine streets.

ADJOURNED 10:20 P.M.

MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, June 1, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
June 1, 1993

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Canady

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

ABSENT: None

INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation and Pledge of allegiance were led by Councilmember Lilly

CONSIDERATION OF LATE ITEMS

By Councilmember Benavides

To accept the following under suspension of the rules:

1/ From Councilmember Benavides, a request that the rules be suspended to allow for presentation of the Community Mental Health Resolution during the Special Ceremonies portion of the agenda

2/ From Councilmember Lilly, a request that Item XII B-3, Act-21-92, be pulled from the agenda

3/ From Councilmember Lilly, a Resolution of approval for ACT-02-93, 911 W. Hillsdale

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. In consideration of an Ordinance to amend Chapter 630, by adding a new section, Section 630.14 of the Code of Ordinances of the City of Lansing for the purpose of Providing for the Prohibition of Knowingly Loitering in Places where Prostitution or Solicitation Occurs

Councilmember Schmidt requested that Assistant City Attorney, Perrone address the audience to explain this ordinance and clear up some of the misconceptions people have about it. Mr. Perrone said this ordinance is patterned after the existing ordinance prohibiting loitering in a drug area. This ordinance makes it a misdemeanor to knowingly loiter in a prostitution area. Intersections and one block in all four directions are the areas that would be affected by this ordinance. The Lansing Police Department would circulate a letter giving a warning to persons seen loitering in these areas; Police would then keep a card file on persons the letters were sent to, allowing them to track repeat offenders for prosecution. Walking or driving from one place to another does not constitute loitering. He has successfully prosecuted the ordinance for loitering in a drug area 4-5 times in the last year. Not one of these cases involved a person who said they were just walking from one place to another.

The following people spoke in support of the proposed ordinance prohibiting loitering in prostitution areas:

—Cheryl Valleau of 226 South St. asked the people, here from neighborhood associations, in support of this ordinance to stand. Approximately 70 people stood. She said there is no mechanism in place right now that allows police officers to move a prostitute off of a particular street. This ordinance will provide them with such a mechanism and protect little girls who are being solicited
—Gladys Gillison of 223 W. Barnes
—Mike Zedbski, no address given
—Elaine Crawford of 126 Isbell
—Howard Jones of 426 W. Barnes
—Priscilla Holmes of 220 Reo Rd.
—Mary Clark of 223 S. Eighth St.
—Paul Scott of 412 W. Kilborn
—Dale Johnson of 1015 S. Washington
—Paget Maynard of 920 W. Shiawassee
—Julie Teed of 701 Baker
—Paul Novak of 1519 W. Kalamazoo

And the following people spoke in opposition to the proposed ordinance prohibiting loitering in prostitution areas:

—Russell Greear of 3801 Walton, who said he is afraid to walk down Washington Ave. or Baker St. anymore, because he is afraid of being picked up for prostitution.
—Lloyd Teets of 116 E. Elm, who said that he finds living with a few prostitutes easier than living with the trampling of the constitution of the United States.
—Frank Curtis of 1137 W. Allegan
—Tim Lewis of 500 S. Pine
—Russell Terry of 131 E. Mt. Hope
—Ken Vaughan of 114 Garden St.
—Andrew Anthos, no address given

REFERRED TO THE COMMITTEE OF THE WHOLE

PUBLIC COMMENT

Russell Greear of 3801 Walton said that Community Mental Health Month was last month and Council is a little late with their resolution. Council totally ignored him when he brought this issue up to them last month. Council needs to represent 100% of the people instead of just 25%, he said.

Harold Leeman of 529 N. Francis asked if Council Rule #19 is back in committee. Councilmember Ford answered that it will be reported out next week. Mr. Leeman asked that Council carefully review the letter from Emerson Ohl and make sure that all correspondence on this issue is kept together. People should be encouraged to report pot holes to the City, he said. He does not believe the moratorium on tree cutting should be lifted after just one meeting of the Ad Hoc Committee on Tree preservation.

Lloyd Teets of 116 E. Elm St. thanked Council for establishing the committee on tree preservation. He encouraged Council to make sure the ordinance for Demolition Officers is done right. The recently adopted state law is probably a result of the poor

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

legislation that the city adopted.

Dick Baker of 1625 W. Kalamazoo said he does not agree completely with the resolution establishing a tree preservation committee. He does not agree with the moratorium being lifted upon adjournment of the first meeting of the committee. They should not lift the moratorium until there is a recommendation from the Committee, and he would like an amendment to that effect. They need to give the committee substance. They need substantial assurances that a process exists.

Russell Terry of 121 E. Mt. Hope asked who determines whether or not a house should be demolished. Councilmember Brockwell answered that it is the responsibility of the Demolition Board. Mr. Terry recommended that this board take pictures of the houses they are recommending for demolition.

Paul Novak of 1519 W. Kalamazoo said he disagrees with the last paragraph of the resolution establishing a tree preservation committee and would like to have it amended to say that the committee will present a recommendation to City Council and the Mayor as to whether the moratorium should be in effect.

Bob Ruffin of 1408 W. Hillsdale said that severe damage has been done to the parkway on Jenison. The contractors have done some restoration, but it is inadequate. This neighborhood is proud of its' appearance and tries to keep their houses and lawns nice for the enjoyment of people traveling through it. This area should be restored before these contractors are paid.

John Jackson of 716 W. Shiawassee said his neighborhood needs a more effective working relationship with the city. The tree preservation committee should have input as to whether, or not, the moratorium is lifted. They should allow the committee to get into the discovery process, rather than passing a resolution just to appease these people.

Bob Clegg, Interim Director of the Public Service Department said that this issue was raised because there was the perception that the Public Service Department was working without the knowledge and cooperation of the City Forester and was removing trees unnecessarily. He is happy to work with these people, but, the facts show that fewer than 38% of the trees that were scheduled for removal were actually removed. These trees were reviewed by the Forester before the project even began. The effort was not to kill trees, it was to make sure that hazardous trees, or trees that endangered the construction crews, were not left standing. Only 7.6% of the trees scheduled for removal in this area were removed. The first trees were removed in June of 1992. Not until April 1993 were any complaints heard about the loss of these trees. It is the responsibility of the Administration to see that the construction sites are safe for the workers, the public, and property. If the moratorium is not lifted allowing for the removal of dangerous trees, and the wind storms of the last few weeks continue, damage will be done. They must be allowed to protect people, the construction crews, and the property of the public. The purpose of the Committee is to make suggestions. They have heard excellent suggestions so far, and hope to hear more. They have construction contracts in effect and legal agreements. They cannot wait and have these contracts held up, or, endanger the people or property. Committees are not the proper place to make decisions about the safety of the work site. Anyone who has concerns about the safety of these sites may call 483-4455. The utility companies are also working in this area and some of the disruption is attributable to them.

Barb Curtis of 530 N. Jenison said she is not comforted by Mr. Clegg's explanation. They do not feel that they are being taken seriously.

Ron Callen of 501 McPherson said that a three block area in his neighborhood was plowed on April 28, 1993 and there has been absolutely no activity since then.

Homer Smith of 448 McPherson said that citizen input on this issue has been effective and council should not ignore it.

SPECIAL CEREMONIES

A. Mayor Crawford postponed his presentation of a Proclamation Declaring June 1993 as Zoo and Aquarium month until June 7, 1993

B. Councilmember Benavides presented a resolution declaring the month of May 1993 to be Mental Health Month in the Capital City to Pat St. George of Community Mental Health. Mr. St. George thanked Council for this recognition.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Canady

Carried unanimously

A. Notice of a Public Hearing before the Michigan Public Service Commission for the Customers of Consumers Power Case No. U10334 on June 9, 1993

RECEIVED AND PLACED ON FILE

B. Petition Signature, for Inclusion into a Petition submitted to City Council on April 19, 1993, requesting installation of Curb & Gutter and Storm Sewer for the Residents of Richard Rd.

REFERRED TO THE MAYOR

C. Letter from Russell Greear of 3801 Walton Dr. regarding Veterans, the Handicapped and Senior Citizens

RECEIVED AND PLACED ON FILE

D. Request for Special Sales Permit for the Sale of Beer and Wine at Riverfront Park by Sharon Riggle of 115 W. Allegan, Ste. 10B for the 'Party In The Park' to be held June 5, 1993 from 10:00 A.M. to 10:00 P.M.

RECEIVED AND PLACED ON FILE

MAYOR'S EXECUTIVE ASSISTANT MAY COMMENT

Mr. Boyd commented on Mayor Crawford's letter requesting action on Trash Violation Fees.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. **RESOLUTION #307**

June 1, 1993
President Canady and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Andrew Anderson, Charles M. St. Clair

Sincerely,
Marilynn Slade, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of May 24, 1993 for Review

RECEIVED AND PLACED ON FILE

C. Letter from Emerson B. Ohl, Secretary of the Tax Increment Finance Authority, regarding Phase III, Lansing Convention/Exhibition Center and Associated Facilities and Parking System Project

REFERRED TO THE COMMITTEE OF THE WHOLE

D. Letters from the Mayor re:

1/ Bid Results for Red Cedar Erosion Control

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

2/ Urban and Community Forestry Grant Acceptance 1993

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

3/ Proposed Wastewater Rates FY 93-94

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

4/ Transfer of Funds (6)

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

5/ **RESOLUTION #308**
TO: Council President Mark Canady and City Councilmembers
FROM: James A. Crawford, Mayor
DATE: May 27, 1993
SUBJ: Trash Violation Fee (V-27)—$1,324.71

The attached trash violation/assessment fees for removal of trash and debris in the R.O.W. is forwarded with my concurrence for your review and appropriate action.

By Councilmember Benavides

To accept the recommendations of the Mayor

Carried unanimously

COMMITTEE REPORTS

RESOLUTION #309
BY THE COMMITTEE ON PUBLIC SERVICES

TO WHOM WAS REFERRED An Ordinance to amend Part 14, Title Two and Title Six, Chapter 1420 and 1460, of the Code of Ordinances of the City of Lansing, Michigan for the purpose of making the qualifications of hearing officers who determine whether buildings or structures are Dangerous or Unsafe consistent with recent State Law.

Reports As Follows: That said ordinance be approved.

SIGNED BY: Bob Brockwell
Tony Benavides
Ellen Beal

BY COUNCILMEMBER BROCKWELL

That the report of the Committee be adopted.

CARRIED UNANIMOUSLY

RESOLUTIONS

RESOLUTION #310
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Vickie Sampson filed a claim against the City in the amount of $450.00 as reimbursement for costs associated with damages to her personal vehicle as a result of hitting a pothole on February 12, 1993; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim, which was concurred in by the Claims Review Committee; and

WHEREAS, the claimant appealed the denial to the City Council and appeared before the General Services Committee, furnishing testimony and evidence in support of the claim; and

WHEREAS, the Committee determined that the City had no constructive notice of the pothole before the incident involving the claimant, and that the Claims Review Committee was correct to invoke the doctrine of governmental immunity and deny the claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to uphold the Claims Review Committee's denial of the claim of Vickie Sampson; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

June 1, 1993

By Councilmember Ford

Carried unanimously

RESOLUTION #311
BY COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS, the Michigan Department of Transportation is desirous that the City maintain certain state trunkline highways and bridges as set forth in the Michigan State Transportation Commission's State Highway Maintenance Contract No. 92-2000; and

WHEREAS, the City is desirous of entering into said contract to continue said maintenance activities; and

NOW, THEREFORE, BE IT RESOLVED THAT the Municipal Trunkline Maintenance contract between the MICHIGAN DEPARTMENT OF TRANSPORTATION and the City of Lansing for the period from October 1, 1992 to September 30, 1995, is hereby accepted and Robert E. Clegg is designated as Maintenance Superintendent on sections of State Trunkline Highways as shown on the municipal Route Section Map and Budget Sheets.

The following City official: James A. Crawford, Mayor of the City of Lansing, is authorized to sign the said maintenance contract.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

By Councilmember Belen

To allow Councilmembers Ford and Lilly to recuse themselves from the vote on this item, because they are employees of the Michigan Department of Transportation, and to place an affirmative roll on the resolution

Carried unanimously, Councilmembers Ford and Lilly abstaining

RESOLUTION #312
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, by resolution adopted May 10, 1993, this Council established a moratorium on the removal of street trees during construction of the Combined Sewer Overflow (CSO) project; and

WHEREAS, the Mayor established an administrative moratorium on the same date, to accomplish the same goal; and

WHEREAS, the Mayor has now forwarded a recommendation to create an ad hoc committee of citizens and professionals to work with City staff on development of a clear policy to save as many trees as possible during CSO construction, with membership on the committee as follows:

—two members of the Public Service Board

—two members of the Park Board

—two rotating members from neighborhood organizations, with the first two members representing the westside neighborhood and the eastside neighborhood

—one urban and community forester from the Michigan Department of Natural Resources

—one forestry expert from Michigan State University

and

WHEREAS, the Mayor has further recommended that interim Director of Public Service Bob Clegg, City Forester Paul Dykema, and Assistant to the Mayor Tom Wilbur serve as ex-officio members of the ad hoc committee; and

WHEREAS, creation of a tree committee was originally proposed by the westside residents who brought tree removal complaints to the Council on May 10;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the establishment of an Ad Hoc Committee on Tree Preservation, composed of the above-stated members; and

BE IT FURTHER RESOLVED the Committee's charge shall be to work with City staff and promptly develop policy recommendations to save as many trees as possible during CSO construction; and

BE IT FURTHER RESOLVED the Mayor shall have authority to appoint citizens to the Committee without necessity of confirmation by Council, so that the Committee may begin its work as soon as possible; and

BE IT FINALLY RESOLVED the Council's moratorium on tree removal shall expire at the time of adjournment of the Ad Hoc Committee's first meeting.

By Councilmember Lilly

To substitute the following language for the language in the last paragraph:

BE IT FINALLY RESOLVED that the Ad Hoc Committee shall provide a recommendation to City Council and the Mayor by the conclusion of its first meeting as to whether the Council's moratorium should remain in effect. In the event that the Ad Hoc Committee recommends that the Moratorium be lifted, the lifting of the moratorium would be effective immediately"

Carried unanimously

By Councilmember Lilly

To insert the following language prior to the above paragraph:

"BE IT FURTHER RESOLVED THAT A REPORT SHALL BE PROVIDED TO Council on a bi-weekly basis by the Mayor or his designee indicating the number of trees removed in the preceeding two weeks and the trees scheduled for removal in the succeeding four weeks.

BE IT FURTHER RESOLVED THAT THE Ad Hoc Committee examine:

a) What other cities and governments are doing to save their trees

b) The engineering requirements for the sewers and how any adverse impacts of their installation has on vegetation in the parkway, including trees, can be reduced to an absolute minimum

c) Development of a method to notify the residents as well as affected neighborhood associations of any capital improvement in the area before it occurs"

Amendment adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly,

NAYS: Councilmember Schmidt

By Councilmember Lilly

To place an affirmative roll on the resolution as amended

YEAS: Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly

NAYS: Councilmember Schmidt

Item XII B-3, ACT-21-92, 1713 Sunset Ave., was pulled from the agenda at the request of Councilmember Lilly

RESOLUTION #313
ACT-10-93
200 BLOCK WEST GRAND RIVER

WHEREAS the Planning Division of the Department of Planning and Municipal Development is desirous of obtaining this vacant lot from the Excess Lands Division of the Department of Natural Resources to improve neighborhood development and

WHEREAS the Lansing Planning Board at their meeting on May 18, 1993 voted unanimously to recommend approval of this purchase and

WHEREAS the Physical Development Committee of City Council has reviewed the report of the Planning Board and concurs therein,

NOW THEREFORE BE IT RESOLVED that the Lansing City Council express its intent to purchase the parcel previously known as 206 West Grand River which is now a vacant lot on the north side of the 200 Block of West Grand River with the understanding that when the sale is consummated, a processing fee of $75 will be paid to the Department of Natural Resources.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

BE IT FURTHER RESOLVED that the administration be directed to convey this intent to the Department of Natural Resources so that this parcel may be withdrawn from the public auction to be held later this year.

BE IT FINALLY RESOLVED that the administration be authorized to complete the final arrangements for the sale, including signing the transfer documents.

By Councilmember Lilly

Carried unanimously, Councilmembers Beal and Ford absent for the vote on this item

RESOLUTION #314
Act-11-93 TWO ADJACENT VACANT PARCELS ON THE WEST SIDE OF THE 1400 BLOCK OF TURNER STREET

WHEREAS the Planning Division of the Department of Planning and Municipal Development is desirous of obtaining these vacant lots from the Excess Lands Division of the Department of Natural Resources to improve neighborhood development and

WHEREAS the Lansing Planning Board at their meeting on May 18, 1993 voted unanimously to recommend approval of this purchase and

WHEREAS the Physical Development Committee of City Council has reviewed the report of the Planning Board and concurs therein,

NOW THEREFORE BE IT RESOLVED that the Lansing City Council express its intent to purchase these two adjacent vacant parcels on the west side of the 1400 Block of Turner Street with the understanding that when the sale is consummated, a processing fee of $75 will be paid to the Department of Natural Resources.

BE IT FURTHER RESOLVED that the administration be directed to convey this intent to the Department of Natural Resources so that these parcels may be withdrawn from the public auction to be held later this year.

BE IT FINALLY RESOLVED that the administration be authorized to complete the final arrangements for the sale, including signing the transfer documents.

By Councilmember Lilly

Carried unanimously, Councilmembers Beal and Ford absent for the vote on this item

RESOLUTION #315
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Clinton-Eaton-Ingham Community Mental Health Board has served the mental health needs of the developmentally disabled, the emotionally disturbed, the mentally ill and the substance abuser in the tri-county area since 1964; and

WHEREAS, the mission of the Board is to enable children, adolescents, adults and families to participate as fully as possible in the opportunities, benefits and responsibilities of the community through the provision of a range of quality and efficient services designed to diminish the impact or incidence of a developmental disability, an emotional disturbance, a mental illness, and/or a substance abuse problem; and

WHEREAS, the Board has sponsored several activities in recent weeks to increase community awareness about their programs and services, including a tour of facilities with an overview of the community mental health system;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby designates May 1993 as "Mental Health Month" in the Capital City.

By Councilmember Benavides

Carried unanimously, Councilmembers Beal and Ford absent for this vote

RESOLUTION #316
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on June 17, 1993, Lansing Resident Jeremy Gallagher Willett will receive his Eagle Scout Award, the highest achievement in Boy Scouting; and

WHEREAS, Jeremy has been actively involved in scouting for 10 years, beginning as a Cub Scout, then moving on to Boy Scout Troop 417, which is chartered to St. Casimir Church; and

WHEREAS, for his Eagle Scout project, Jeremy designed and built a privacy fence and flower garden for the Immaculate Heart of Mary Church Rectory; and

WHEREAS, a member of the Class of 1993 at Lansing Catholic Central High School, Jeremy has been an honor roll student all four years, and he will attend Michigan Technological University in the fall to begin his studies in mechanical engineering; and

WHEREAS, Jeremy is the oldest son of Mark and Pat Willett, who also deserve recognition for the values they instilled and the examples they set for Jeremy and their other three children;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby commends and congratulates Jeremy Gallagher Willett for his outstanding achievements in scouting, culminating in his attainment of the rank of Eagle Scout.

By Councilmember Brockwell

Carried unanimously, Councilemmbers Beal and Ford absent for the vote on this item

RESOLUTION #317
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE LANSING CITY COUNCIL

WHEREAS, Gracie Ansley has requested a Special Land Use permit to allow the property at 911 West Hillsdale Street, more particularly described as:

Lot 3 except the east 1.5 feet of the North 66 feet, Block 7, Bush Butler and Sparrow's addition, City of Lansing, Ingham County, Michigan

to be used as a residential care facility for the purpose of providing 24-hour foster care for a maximum of eight elderly residents, and

WHEREAS, the Planning Board held a public hearing on April 6, 1993, at this time the petitioner and her contractor spoke in favor, and a communication was received not opposed to the request, and

WHEREAS, the Planning Board at their April 20, 1993, meeting unanimously recommended approval of the request with one condition, and

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

WHEREAS, the City Council held a public hearing on May 17, 1993, at which no one spoke against the request, and

WHEREAS, the Committee on Physical Development has considered the request for a Special Land Use permit at 911 West Hillsdale and concurs with the recommendation of the Planning Board.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Lansing hereby approve the request to use 911 West Hillsdale Street, property described above, as a residential care facility for the purpose of providing 24-hour foster care for a maximum of eight elderly residents with the condition that the building and property improvements, including those improvements required by City and State agencies for residential care facilities, be completed within six months of approval, and

BE IT FURTHER RESOLVED, in reviewing the request as prescribed by Chapter 1282 of the Zoning Code of the City of Lansing, the City Council found:

1. The proposed residential care facility can be operated and maintained in a manner harmonious with the character of the adjacent property and the surrounding area.

2. The proposed residential care facility will not change the essential character of the surrounding area.

3. The proposed residential care facility is not anticipated to interfere with the general enjoyment of adjacent property.

4. The proposed residential care facility is not anticipated to adversely impact the character or environment of the property.

5. The proposed residential care facility is not anticipated to be hazardous to persons or adjacent properties.

6. The proposed residential care facility can be adequately served by essential public services and facilities.

7. The proposed residential care facility does not place excessive demands on public services and facilities.

8. The proposed residential care facility is consistent with the intent and purpose of the Zoning Code and the objectives of the currently adopted Comprehensive Plan including the Seven Block Development Plan.

9. The proposed residential care facility meets the dimensional requirements of the "C" Residential District.

May 24, 1993

By Councilmember Lilly

Carried unanimously, Councilmember Beal absent for the vote on this item

ORDINANCES FOR INTRODUCTION

There are no Ordinances for Introduction

ORDINANCES FOR PASSAGE

By Councilmember Brockwell:

That we proceed to the passage of Ordinances.

By Councilmember Brockwell:

That the Ordinance when read be considered as read in its entirety.

BY THE COMMITTEE ON PUBLIC SERVICES

By Councilmember Brockwell:

Resolved by the City Council of the City of Lansing that an Ordinance, Ammending Part 14, Title Two and Title Six, Chapters 1420 and 1460 of the Codified Ordinances of the City of Lansing, Michigan, for the purpose of Making the Qualifications of Hearing Officers who determine whether buildings or structures are Dangerous or Unsafe Consistent with Recent State Law, be placed on order of immediate passage.

BY THE COMMITTEE ON PUBLIC SERVICES

By Councilmember Brockwell

Resolved by the City Council of the City of Lansing that an Ordinance, Ammending Part 14, Title Two and Title Six, Chapters 1420 and 1460 of the Codified Ordinances of the City of Lansing, Michigan, for the purpose of Making the Qualifications of Hearing Officers who determine whether buildings or structures are Dangerous or Unsafe Consistent with Recent State Law, be now passed.

YEAS: Councilmembers Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

NAYS: None

ABSENT: Councilmember Beal

ORDINANCE NO. 861

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND PART 14, TITLE TWO AND TITLE SIX OF THE CODE OF ORDINANCES OF THE CITY OF LANSING, MICHIGAN BY AMENDING CHAPTERS 1420 AND 1460 FOR THE PURPOSE OF MAKING THE QUALIFICATIONS OF HEARING OFFICERS WHO DETERMINE WHETHER BUILDINGS OR STRUCTURES ARE DANGEROUS OR UNSAFE CONSISTENT WITH RECENT STATE LAW:

The City of Lansing ordains:

Section 1. That Part 14, Chapter 1420 of the Code of Ordinances of the City of Lansing, Michigan, be amended to read as follows:

1420.02 . . .

U.B.C. Section 203. Unsafe Buildings or Structures is hereby amended by adding the following:

DANGEROUS Buildings and Structures

. . .

(e) **Hearings and Costs.**

(1) The Mayor shall appoint two or more Hearing Officers, who shall not be employees of the City, TO SERVE AT HIS OR HER PLEASURE. THE HEARING OFFICER shall be a PERSON WHO HAS EXPERTISE IN HOUSING MATTERS INCLUDING, BUT NOT LIMITED TO, AN engineer, ARCHITECT, BUILDING CONTRACTOR, BUILDING INSPECTOR, OR MEMBER OF A COMMUNITY HOUSING ORGANIZATION. There shall be a minimum of one hearing per month unless there is no business to conduct. EACH SEPARATE MATTER NOTICED TO BE HEARD AT THE HEARING SHALL BE ASSIGNED TO ONE HEARING OFFICER. THE HEARING OFFICER MAY CONSULT WITH ANY OTHER OFFICER BEFORE MAKING HIS OR HER FINDING. THE DIRECTOR OF BUILDING SAFETY SHALL FILE A COPY OF THE NOTICE THAT THE BUILDING OR STRUCTURE IS A DANGEROUS BUILDING WITH THE HEARING OFFICER.

. . .

Section 2. That Part 14, Chapter 1460 of the Code of Ordinances of the City of Lansing, Michigan, be amended to read as follows:

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

1460.24 DANGEROUS BUILDINGS.

. . .

(d) **Notices.**

(4) The Mayor shall appoint two or more Hearing Officers, WHO SHALL NOT BE EMPLOYEES OF THE CITY, to serve at his or her pleasure. THE Hearing Officer shall be a PERSON WHO HAS EXPERTISE IN HOUSING MATTERS INCLUDING, BUT NOT LIMITED TO, AN engineer, ARCHITECT, BUILDING CONTRACTOR, BUILDING INSPECTOR, OR MEMBER OF A COMMUNITY HOUSING ORGANIZATION. There shall be a minimum of one hearing date per month UNLESS THERE IS NO BUSINESS TO CONDUCT. Each separate matter noticed to be heard at the hearing shall be assigned to one Hearing Officer. The Hearing Officer may consult with any other officer before making his or her finding. The Director of Building Safety shall file a copy of the notice THAT THE BUILDING OR STRUCTURE IS A dangerous BUILDING with the Hearing Officer.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by City Council.

MARILYNN SLADE, CITY CLERK

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Benavides, a request that the rules be suspended to allow for presentation of the Community Mental Health Resolution during the Special Ceremonies portion of the agenda

THE RULES WERE SUSPENDED AND RESOLUTION #3!5 WAS PRESENTED TO PAT ST. GEORGE OF COMMUNITY MENTAL HEALTH DURING THE SPECIAL CEREMONIES PORTION OF THE AGENDA

2/ From Councilmember Lilly, a request that Item XII B-3, Act-21-92 be pulled from the agenda

ITEM XII B-3, ACT-21-92 WAS PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER LILLY

3/ From Councilmember Lilly, a Resolution of approval for ACT-02-93, 911 W. Hillsdale

HANDLED AS RESOLUTION #317

MAYOR'S EXECUTIVE ASSISTANT'S COMMENTS

Mr. Boyd thanked the parks and Recreation Department for keeping the cemeteries in such good shape for Memorial Day. Many people enjoyed the parade. The City is putting on its' friendliest 'welcome' spirit in honor of the upcoming Oldsmobile Classic Golf Tournament to be held at Walnut Hills Country Club. We will host many visitors from national and international communities. He announced a road closing; Kalamazoo St. from Jenison Ave. to West St. will be closed from June 2, to June 18, 1993.

COUNCILMEMBER'S COMMENTS

Councilmember Brockwell agreed that the Cemeteries did look good for Memorial Day. The Michigan Run is this weekend. Steve Widder from the Parks and Recreation Department worked very hard to put this event together. He is looking for volunteers for race day. Interested persons may call 483-4277 and ask for Steve Widder or Mary Winegar. They also need help Friday night at the Michigan Athletic Club where they will be distributing the packets. There is a danger that we could loose this event, if it becomes a one man job. There must be volunteer help or the event cannot be managed. The Multifamily recycling ordinance went into effect on June 1, 1993 and so far only 20% of the potential users are signed up. Apartment owners need to submit their plans to Marshall Klaus as quickly as possible.

Councilmember Schmidt said the cemeteries were in splendid condition for Memorial Day. She requested that the loitering in a prostitution area ordinance be reported out of committee this Thursday. She reported tall grass on city property at the corner of Parkview and Dexter Drive near Poxson Park. She asked that the Mayor's Office have this grass cut.

Councilmember Belen said that if her colleagues would check the minutes from the Committee of the Whole meeting last week, they will find that everyone approved putting the loitering ordinance on the Council agenda for passage next Monday. She informed Councilmember Brockwell that the Multifamily Recycling Ordinance has been implemented at her apartment complex.

Councilmember Ford introduced Tonesa McClendon, a graduate of the Harry Hill Vocational Educational Radio Program. She operated one of our television cameras for tonight's meeting.

Council President Canady announced that he will address the graduating class of Eastern High School tomorrow.

CITIZEN COMMENTS

William Bernstein of 420 Baker St. spoke of the Star of David that was recently painted on the side of his building. The first amendment rights to freedom of speech belong to all of the citizens of this city and they will not let City Council put words in their mouths, he said. These chambers belong to the citizens.

Gracie Ainsley of 2034 W. Lenawee thanked Councilmembers for passing her special land use request and everyone who helped to make her dream come true.

Homer Smith of 438 McPherson said that he addressed Council 11 months ago regarding the condition of St. Joe park. The south end of the park needs mowing, please attend to it. Councilmember Ford recalled that this is the area that a new football field was supposed to be established on for the use of the Pop Warner Football League and Council should check on the status of this project. President Canady responded that he will direct a memo to Mr. Reickel requesting this information.

Tom Shields of 1118 Riley St. said that the City should enforce its' tall grass and trash ordinance. He reported a violation of the tall grass ordinance at the entrance to I-496 on Pennsylvania Avenue. Every year he has to call to report this situation. He has gotten to the point now that he calls the State Police. The grass has gotten so tall that you cannot see traffic coming.

Dick Baker of 1625 W. Kalamazoo, President of the West Side Neighborhood Organization, thanked Council for the resolution and consideration of the 'Save the Trees' Committee and promised that they will work deliberately. They are appreciative of the confidence and support Council has shown them and look forward to a continued good working relationship.

Robert Trezise, Jr. of 834 Fred St. said that 40% of the large apartment complexes are in noncompliance with the multifamily recycling ordinance. These apartment companies are making

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

fools out of City Council. This ordinance was developed through the democratic process in a thoughtful, deliberative, fair manner. They tried, in good faith, to accommodate everyone. There may be no enforcement mechanism for the ordinance. Councilmember Brockwell assured Mr. Trezise that this is disturbing to Council and to Marshall Klaus, Recycling Director. They will make sure that this ordinance is enforced.

Lloyd Teets of 116 E. Elm St. spoke in opposition to Proposal A, State of Michigan Sales Tax Increase, saying it is about as good a deal for the tax payers of Michigan as the bonus ball was to Lotto players. A certain percent of the money they take in through this proposal goes back to local governments and gets equalized in other allotments. This is taking with one hand and giving with another. It represents a 50% increase in sales tax.

Tim Lewis of 500 S. Pine St. asked that Council President Canady enforce the portion of Rule #19 that requires the public to give their name and address when they address Council. Two people spoke tonight who did not give their names. The ordinance prohibiting loitering in prostitution areas needs to be reworded.

Andrew Anthos, no address given, commended Council for creating an attitude of hope lately. Everyone who works, he said, works every week. If Council has to listen to him every week, so be it. That is their job. Beginning next week he will read of the events of the Dome lighting.

Ammahad Shekarraki of 902 W. Willow St. said that Memorial Weekend is the toughest weekend of the year for Veterans. Politicians wrap themselves in the American Flag, but, in the meantime unemployment among veterans is about 25%. Among black and hispanic veterans, it is 37%. Nothing is done for the living veterans, yet everything possible is done for foreigners moving into the United States.

Dale Johnson of 1015 N. Washington asked that the City mow the property in front of the REO site. He asked what happened with the rehabilitation of the park at the junction of the Grand and Red Cedar rivers.

Harold Leeman of 529 N. Francis asked if Mayor Crawford were still ill. When is the next meeting of the Ethics Board?

ADJOURNMENT 10:20
MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, June 7, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
June 7, 1993

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Canady.

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford (arrived at 7:15 P.M.), Lilly, Schmidt

ABSENT: None

The Invocation was led by Councilmember Lilly. The Pledge of Allegiance was led by Boy Scout Troop 121, St. Girard Church.

Motion by Councilmember Schmidt to approve the printed council proceedings of April 12, April 19, and April 26, 1993.

Carried unanimously.

CONSIDERATION OF LATE ITEMS

By Councilmember Benavides:

To accept the following under suspension of the rules:

1/ From Councilmember Belen, a resolution of welcome to Chief Folake Solanke SAN, President-Elect of Zonta International

2/ From Councilmember Beal, a copy of an ordinance on prostitution adopted by the City of Portland, Oregon

3/ From Councilmember Benavides, that the tribute to Joel Condell be moved up to the Special Ceremonies portion of the Agenda

4/ From Councilmember Ford, a Committee Report recommending approval of an amendment to Chapter 630, Prohibiting Loitering in places where Prostitution or Solicitation occurs

Carried unanimously.

SCHEDULED PUBLIC HEARINGS

A. In Consideration of the transfer of a Commercial Facilities Exemption Certificate to Lansing Clarion Limited Partnership from Long Development, Inc. for property located at 6810 S. Cedar St.

There were no public comments regarding this hearing.

REFERRED TO THE COMMITTEE ON
ECONOMIC DEVELOPMENT

Motion by Councilmember Brockwell:

That Special Ceremonies be moved to this portion of the Agenda.

Carried unanimously.

SPECIAL CEREMONIES

A. Mayor Crawford presented a Proclamation designating the month of June 1993 as Zoo and Aquarium Month to Carol Webster and other members of the Potter Park Zoo

B. Mayor Crawford introduced a visiting Rotary Scholar from Japan, Rikio Kimuro, who addressed Councilmembers and others present

C. Councilmember Benavides presented a resolution of tribute to Joel Condell

PUBLIC COMMENT

The following members of the public spoke either in support or opposition to the proposed ordinance regarding loitering in prostitution areas:

Paul Pratt of 416 Everett Drive, member of the American Civil Liberties Union, stated that the proposed ordinance is blatantly unconstitutional and encourages arbitrary and erratic arrests.

Del Maynard of 2017 Culver stated that we do not need an ordinance which takes away our constitutional right to freedom of assembly.

Lee Shunk, Jr. of 601 Leslie Street stated that he feels the ordinance needs to be reworked to provide more safety nets to protect the innocent.

Frank Curtis of 112 W. Allegan stated that he is opposed to the ordinance as it will turn Lansing into a police state.

Andrea Townsend of 317 W. Genesee #2 stated that she is opposed to the ordinance.

Virginia Elzinga of 1019-1/2 Hickory stated that she supports the ordinance as her neighborhood has continual prostitution activity and threatens the neighborhood.

Lloyd Teets of 116 E. Elm Street stated that City Council is trashing the Constitution twice in the same meeting—with the ordinance regarding loitering in prostitution areas and with the changes to Council rule 19. He stated that he feels the proposed ordinance does not have necessary safeguards included.

Mark Parker of 1020 Prospect #107 stated that we need to address the problems of inequality in our society instead of passing this ordinance.

Marj Ojibway of 429 W. Ionia stated that it is the pimps who should be penalized not the women who must turn to prostitution to support their children.

Cheryl Valleau of 226 S. Eighth Street stated that she is in full support of this ordinance. She stated that she does not feel that innocent people will be victimized; she is more concerned with young people and senior citizens who are afraid to be out on the streets of their neighborhoods. She stated that at least eighteen neighborhood watch groups support this ordinance.

Robert Bennett of 1601 Robertson stated that he feels Rule 19 could have been improved before being passed. He asked for an explanation of Agenda item XII-C2 regarding a transfer of funds for a leasing agent at the City Market.

Russell Greear of 3801 Walton Drive stated that he is opposed to

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

the elimination of citizen soapbox which is part of the Council Rule 19 resolution.

Harold Leeman of 529 N. Francis asked why the city didn't keep the bicycles it had instead of now doing a transfer to purchase bikes for community policing? He stated that he found it ironic that the city is accepting a grant to study trees at the same time they are tearing out trees on the west side. He cautioned Council that the rule 19 provision for pre-registration of public speakers will be cumbersome to manage. He asked Council to provide a booklet to citizens who come to Council meetings which outlines Rule 19 so that they know the rules in advance of speaking.

COMMUNICATIONS AND PETITIONS

By Councilmember Benavides:

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Canady.

Carried unanimously.

A. Claim appeal from Gertrude Brown for her rental property at 708 E. Park Terrace

REFERRED TO THE MAYOR AND CITY ATTORNEY

B. Claim of Robert S. Hackett, no address given

REFERRED TO THE MAYOR AND CITY ATTORNEY

C. Notice from the State of Michigan Department of Natural Resources of application for a permit to construct in the floodplain of the Sycamore Creek by E. F. Solomon of 4000 N. Grand River

MAYOR MAY COMMENT

Mayor Crawford reviewed his letters C-1 through C-5 on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. **RESOLUTION #318**

June 7, 1993
President Canady and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Richard Pieknik, Robert Dale Dalton

Sincerely,
Marilynn Slade, City Clerk
City of Lansing, MI

By Councilmember Schmidt

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of June 1, 1993 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1/ Reclamation and subsequent sale of property

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

2/ ACT-03-92 & ACT-08-93, 113-117-119 W. North St.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

3/ Change of Intent

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

4/ Reappointment of Mary Margaret Murphy-Woll to Park Board

REFERRED TO THE PUBLIC SERVICES COMMITTEE

5/ Reappointment of Barry Crown to Park Board

REFERRED TO THE PUBLIC SERVICES COMMITTEE

COMMITTEE REPORTS

RESOLUTION #319

THE COMMITTEE ON WAYS AND MEANS, to whom was referred the request of the administration for a change of intent for purchase of 8 bicycles with related lights, battery packs, carriers, etc., for use by community policing officers,

REPORTS AS FOLLOWS: The Police Department experimented with use of a bicycle by a community beat officer in the summer of 1992. It is felt that use of a bicycle allows officers to maintain close personal contact with citizens within community policing districts, while increasing the ability of the officer to patrol the district, respond to calls for service and quickly and quietly approach potential crimes in progress. The Department has selected 8 of the 13 community policing areas where it is perceived that bicycles would be of significant assistance.

Residual funds of $7,872 to initiate the program have been identified in the Departments grant match account, due to State discontinuance of the C.O.P.'s program.

As these items were not identified for acquisition in the F.Y. 92-93 Recommended Budget, standing policy requires Council approval prior to purchase. The Committee recommends approval for purchase of 8 bicycles with related equipment and supplies by the City Council.

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

That the report of the Committee be approved.

CARRIED UNANIMOUSLY

June 7, 1993.

RESOLUTION #320

THE COMMITTEE ON WAYS AND MEANS, regarding the need for a change of intent due to frequent breakdown of the 10th floor copying machine,

REPORTS AS FOLLOWS: The copying machine was originally

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

purchased with lower cost feeder and sorter trays, which have proven insufficient to handle the volume and frequency of necessary copying. This has resulted in frequent breakdown and excess service calls. The vendor has recommended upgraded feeder and sorter trays and will provide these at dealer cost of $2,300. This amount is available in the Council's Professional Service account.

As these items were not identified for acquisition in the Fy 1992-93 budget, standing policy requires approval by City Council prior to purchase. The committee recommends approval for purchase of a new feeder and sorter trays, through use of residual funds, by City Council.

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt

BY COUNCILMEMBER BENAVIDES:

That the report of the Committee be approved.

CARRIED UNANIMOUSLY

June 7, 1993.

RESOLUTION #321
THE COMMITTEE OF THE WHOLE, to whom was referred the proposed ordinance amending Chapter 630 by adding a new section 630.14 to the Codified Ordinances of the City of Lansing, for the purpose of providing for the prohibition of knowingly loitering in places where prostitution or solicitation occurs,

REPORTS AS FOLLOWS: The Committee recommends that this ordinance be adopted and be given immediate effect.

Signed: Mark H. Canady, Chairperson
Robert Brockwell, Vice Chairperson
Ellen M. Beal
Lucile E. Belen
Tony Benavides
Charles Ford
Richard J. Lilly
Alfreda Schmidt

June 7, 1993

BY COUNCILMEMBER BROCKWELL:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTIONS

RESOLUTION #322
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Ms. Nina L. McNeill filed a claim against the City of Lansing in the amount of $1,054.44 for reimbursement for costs associated with injuries she sustained as a result from slipping on ice entering a parking structure; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the claimant appealed the denial to the City Council and appeared before the General Services Committee, furnishing testimony and evidence in support of the claim; and

WHEREAS, the Committee determined that the City is not liable and the recommendation was correct to invoke the doctrine of governmental immunity and deny the claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with the recommendation of the Committee on General Services to deny the claim of Ms. Nina McNeill; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

June 7, 1993

By Councilmember Ford

Carried unanimously

B. BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

1. FCF-01-93, 2132 Glencoe Way (Foster Care Facility)

By Councilmember Lilly:

To table this resolution for a couple of weeks to allow for public input on the licensing of this child care facility.

Carried unanimously.

RESOLUTION #323
ACT-21-92 June 3, 1993
1713 Sunset
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

Resolved by the City Council of the City of Lansing that a public hearing be set for Tuesday, July 6, 1993, at 7:00 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan for the purpose of considering a proposed sale of land commonly known as 1713 Sunset. The property was formerly used by the Capital Area Humane Society, including a pet cemetery.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS BEAL, BELEN, BENAVIDES, BROCKWELL, CANADY, FORD, LILLY, SCHMIDT

NAYS: NONE

ABSENT: NONE

RESOLUTION #324
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Whereas, the Michigan Department of Natural Resources (DNR), Forestry Division has a grant program to promote tree care and awareness; and

Whereas, the DNR has awarded the City of Lansing a grant to promote tree care and awareness by studying the trees located at Potter Park and publishing the results of the study; and

Whereas, the total grant being provided toward the project is $16,575; and

Whereas, the $16,575 City match will come from in-kind services; and

Whereas, the Mayor recommends acceptance of this grant.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council authorizes receipt and implementation of the grant in compliance with all requisites.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

By Councilmember Benavides

Carried unanimously

RESOLUTION #325
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

$450 from Est. Rev. A/C 101-0-170001-0
(Donations 101-0-675000-0)

450 to Pks & Rec. Bgt. Ctrl. Acct. A/C 101-783860-992200-0
(Donations from Potter Park Zoo Docents. To memo account 101-783810-741880-0)

$20,000 from Est. Rev. A/C 101-0-170001-0
(Donations 101-0-675000-0)

20,000 to Pks & Rec. Bgt. Crtl. Acct.
A/C 101-783860-992200-0
(Donations from Lansing Youth & Recreation Fund. To memo account 101-783833-707000-90001 $16,750 and to 101-783833-741000-90001 $3,250.)

$13,450 from Est. Rev. A/C 101-0-170001-0
(Donations 101-0-675000-0)

13,450 to Pks & Rec. Bgt. Ctrl. Acct.
A/C 101-783860-992200-0
(Donations of $5,000 each from Michigan National Bank and Continental Cablevision and balance to be raised by WVIC for July 4th Fireworks—to memo account 101-783810-741878-0)

$ 6,045 from Est. Rev. A/C 101-0-170001-0
(City Market parking revenues 101-0-653901-0)

6,045 to Pks & Rec. Bgt. Ctrl. Acct.
A/C 101-783860-992200-0
(Funds initially planned for hiring of leasing agent. To memo account 101-783811-743000-0.)

$ 6,118.81 from Est. Rev. A/C 101-0-170001-0
(Team registration fees 101-0-641300-0)

6,118.81 to Cap. Imp. Prog. Bgt. Ctrl. Acct.
A/C 101-933901-992200-0
(Council policy of Nov. 3, 1986, to collect funds for field improvements. To memo account 101-933890-970000-13023.)

$200 from Est. Rev. A/C 101-0-170001-0
(Donations 101-0-675003)

200 to Hum. Rel. Bgt. Ctrl. Acct. A/C 101-672500-992200-0
(Donation from Community Housing Resource Board to partially cover City expenses for Fair Housing Month program. To memo account 101-672500-741880 0.)

Submitted by: Douglas L. Rubley
I hereby certify that funds are available.

By Councilmember Benavides

To place an affirmative roll on the transfers, with the exclusion of the transfer of $6,045 for the hiring of a leasing agent for the City Market, and to return the transfer of $6,045 for hiring of a leasing agent for the City Market, to the Committee on ways and Means and to the Public Service Department

Carried unanimously

RESOLUTION #326
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on Tuesday, June 8, at the annual meeting of the Chief Okemos Council Board of Directors, Lansing Resident Joel Condell will receive the Medal of Merit from the Boy Scouts of America, for his quick action that probably saved a fellow swimmer his life this past January; and

WHEREAS, during a swim team practice, Joel alertly spotted a swimmer in distress, and came to his assistance immediately in a series of actions that were commended by witnesses as preventing a drowning; and

WHEREAS, Joel is the son of Ernest and Carolyn Condell, and is a member of Troop 121 chartered to St. Gerard Church;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby joins the Boy Scouts of America in recognizing Joel Condell for his outstanding act of service, which upheld the highest traditions of Scouting.

By Councilmember Benavides

Carried unanimously

RESOLUTION #327
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Committee on General Services has made an extensive review of the City Council Rules pertaining to order and decorum; and

WHEREAS, the Committee conducted a special hearing to receive citizen comment on said rules, and based on the observations made by many residents who regularly watch Council meetings, either in person or on Cable Channel 28, the Committee has offered several amendments; and

WHEREAS, the Committee of the Whole has examined these amendments, made minor modifications, and reported the changes for final action;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the attached amendments to the City Council Rules, effective immediately.

June 7, 1993

By Councilmember Benavides

To correct the numbering of sections and subsections of these rules and attach an affirmative roll to the resolution as amended

Carried unanimously

REVISIONS TO THE CITY COUNCIL RULES

[DELETE CURRENT RULE #4 AND SEE RULE 19, SECTION 1.B. BELOW]

[DELETE CURRENT RULE #6 AND SEE RULE @9, SECTION 1.A. BELOW]

Rule 16. ORDER OF BUSINESS. The order of business of Council shall be on the printed agenda prepared by the Clerk and shall be as follows:

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

1. Roll Call
2. Invocation and Pledge of Allegiance
3. Reading and approval of printed Council Proceedings
4. Motion to suspend Council Rule 11 to allow consideration of late items at the end of the agenda (if deemed necessary and appropriate)
5. Special Ceremonies, if any
6. Scheduled Public Hearings (five minute limit per speaker)
7. Public Comment on items of business identified on the agenda for action, including City officer and board reports, committee reports, resolutions, ordinances, and late items approved for ACTION (five minute limit per speaker)
8. Receipt of communications and petitions for information or referral
9. Mayor or Executive Assistant to the Mayor may comment on agenda items, including late items
10. City officer and board reports for information, referral, or action
11. Committee Reports for action
12. Resolutions for action
13. Ordinances for introduction and setting of public hearing
14. Ordinances for passage
15. Consideration of late items, if any
16. Tabled items, if any
17. Motion of Excused Absence
18. Remarks by the Mayor or Executive Assistant to the Mayor
20. Remarks by Councilmembers
21. Citizen Comment on City Matters (three-minute limit per speaker)
22. Adjournment

Rule 19. RULES OF DECORUM FOR MEETINGS; ADDRESS BY PERSONS. MEETINGS OF COUNCIL SHALL BE CONDUCTED IN AN ORDERLY MANNER TO ENSURE THAT MEMBERS OF THE PUBLIC HAVE A REASONABLE OPPORTUNITY TO BE HEARD WHILE RETAINING AT ALL TIMES THE DELIBERATIVE PROCESS OF COUNCIL. WHILE ANY MEETING OF COUNCIL IS IN SESSION, THE FOLLOWING RULES OF ORDER AND DECORUM SHALL BE OBSERVED:

1. THE PRESIDING OFFICER SHALL BE RESPONSIBLE FOR MAINTAINING ORDER AND DECORUM OF ALL MEETINGS OF COUNCIL AND ITS COMMITTEES AND COMMITTEES APPOINTED BY COUNCIL.

   A. THE PRESIDING OFFICER SHALL RECOGNIZE A COUNCILMEMBER WHO WISHES TO SPEAK. WHEN TWO OR MORE COUNCILMEMBERS WISH TO SPEAK AT THE SAME TIME, THE PRESIDING OFFICER SHALL NAME THE COUNCILMEMBER WHO IS FIRST TO SPEAK. NO COUNCILMEMBER SHALL SPEAK WITHOUT FIRST HAVING BEEN RECOGNIZED BY THE PRESIDING OFFICER. *(OLD RULE 6)*

   B. THE PRESIDING OFFICER SHALL DECIDE ALL QUESTIONS ARISING UNDER THE RULES OF COUNCIL AND PARLIAMENTARY PROCEDURE AS SET FORTH IN MASON'S MANUAL OF LEGISLATIVE PROCEDURE, SUBJECT TO AN APPEAL, WHICH APPEAL SHALL BE DETERMINED BY AN AFFIRMATIVE VOTE OF FIVE OF THE COUNCILMEMBERS VOTING. *(OLD RULE 4)*

   C. THE PRESIDING OFFICER MAY INTERRUPT ANY SPEAKER AT ANY TIME TO RULE ON A POINT OF ORDER RAISED BY ANY MEMBER OF COUNCIL. THE SPEAKER SHALL YIELD THE FLOOR UNTIL THE POINT OF ORDER HAS BEEN STATED AND A RULING MADE. ANY APPEAL BY A MEMBER OF COUNCIL ON A RULING BY THE PRESIDING OFFICER SHALL BE DECIDED BEFORE THE BUSINESS OF THE MEETING CONTINUES.

   D. ADMITTANCE TO THE COUNCIL AREA INSIDE THE BAR IS PERMITTED TO THE ADMINISTRATION, COUNCIL STAFF, THE WORKING PRESS AND THOSE PRESENT FOR PARTICIPATION IN SPECIAL CEREMONIES. NO OTHER PERSON SHALL ENTER THE COUNCIL AREA INSIDE THE BAR WITHOUT PRIOR PERMISSION OF THE PRESIDING OFFICER.

2. MEMBERS OF COUNCIL AND OTHER MEETING PARTICIPANTS SHALL BE ORDERLY AND DECOROUS DURING MEETINGS:

   A. COUNCILMEMBERS. THE MEMBERS OF COUNCIL SHALL HOLD EQUAL RESPONSIBILITY FOR PRESERVATION OF THE ORDER AND DECORUM OF THEIR MEETINGS. COUNCILMEMBERS SHALL NOT, BY CONVERSATION OR OTHER MEANS, DELAY OR INTERRUPT THE PROCEEDINGS OR DISTURB ANOTHER COUNCILMEMBER RECOGNIZED TO SPEAK BY THE PRESIDING OFFICER, EXCEPT TO RAISE A POINT OF PARLIAMENTARY PROCEDURE OR MAKE AN APPEAL OF A RULING BY THE PRESIDING OFFICER.

   B. CITY OFFICERS, EMPLOYEES, AND GUESTS. OTHER ELECTED OFFICIALS, CITY EMPLOYEES, AND THEIR INVITED GUESTS SHALL OBSERVE ALL RULES OF ORDER AND DECORUM AT ALL TIMES DURING COUNCIL MEETINGS, AND MAY ONLY SPEAK WHEN RECOGNIZED BY THE PRESIDING OFFICER.

   C. MEMBERS OF THE AUDIENCE. ALL PERSONS OBSERVING A MEETING OF COUNCIL FROM THE PUBLIC AREA OF THE COUNCIL CHAMBERS SHALL BE IN ORDER AND DECOROUS AT ALL TIMES, AND SHALL OBEY THE PRESIDING OFFICER. ANY PERSON WHO REFUSES TO BE SILENT WHEN CALLED TO ORDER BY THE PRESIDING OFFICER SHALL BE SUBJECT TO IMMEDIATE REMOVAL FROM THE COUNCIL CHAMBERS BY THE SERGEANT-AT-ARMS. MEMBERS OF THE AUDIENCE SHALL NOT DISTURB THE PROCEEDINGS OF ANY COUNCIL MEETING WITH VOCAL DEMONSTRATIONS. SIGNS, DISPLAYS, PEDDLING, AND UNAUTHORIZED SOLICITATIONS SHALL BE PROHIBITED ON THE 10TH FLOOR OF CITY HALL.

   D. PUBLIC WHEN ADDRESSING COUNCIL. ALL MEMBERS OF THE PUBLIC WHO ADDRESS COUNCIL SHALL DO SO AT THE SCHEDULED TIME AND FROM THE PODIUM.

   1. DURING REGULAR COUNCIL MEETINGS, MEMBERS OF THE PUBLIC SHALL HAVE THREE OPPORTUNITIES TO ADDRESS THE COUNCIL:

      a. SCHEDULED PUBLIC HEARINGS (AGENDA ITEM VI). UPON ANNOUNCEMENT OF THE TOPIC OF A SCHE-

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

DULED PUBLIC HEARING, EACH SPEAKER SHALL HAVE A MAXIMUM OF FIVE MINUTES TO COMMENT ON THE SUBJECT OF THE HEARING.

b. COMMENT ON AGENDA ACTION ITEMS (AGENDA ITEM VII). SPEAKERS SHALL PRE-REGISTER AT THE REAR OF THE COUNCIL CHAMBERS TO COMMENT ON ITEMS OF BUSINESS IDENTIFIED FOR ACTION ON THE COUNCIL AGENDA. EACH SPEAKER SHALL HAVE A MAXIMUM OF FIVE MINUTES TO COMMENT IN TOTAL, AND BEFORE COMMENCING SHALL IDENTIFY EACH ACTION ITEM THAT IS THE SUBJECT OF HIS OR HER COMMENT.

c. CITIZEN COMMENT ON CITY MATTERS (AGENDA ITEM XVIII). SPEAKERS SHALL PRE-REGISTER AT THE REAR OF THE COUNCIL CHAMBERS TO ADDRESS COUNCIL ON MATTERS WITHIN THE JURISDICTION OF THE CITY. EACH SPEAKER SHALL HAVE A MAXIMUM OF THREE MINUTES TO COMMENT IN TOTAL.

2. SPEAKERS SHALL OBEY DIRECTIONS FROM THE PRESIDING OFFICER AND SHALL GIVE THEIR FULL NAMES AND HOME MAILING ADDRESSES, AND THEN AWAIT RECOGNITION FROM THE PRESIDING OFFICER BEFORE PROCEEDING WITH THEIR COMMENTS.

3. SPEAKING TIME SHALL COMMENCE WHEN THE PRESIDING OFFICER RECOGNIZES THE SPEAKER. SPEAKERS SHALL PRESENT THEIR COMMENTS IN A BUSINESSLIKE MANNER. UNEXPIRED TIME ON A SPEAKER'S LIMIT CANNOT BE RESERVED, CARRIED FORWARD, OR DONATED TO ANOTHER SPEAKER. WHEN THE PRESIDING OFFICER ANNOUNCES THAT A SPEAKER'S TIME HAS EXPIRED, THE SPEAKER SHALL LEAVE THE PODIUM.

4. SPEAKERS SHALL NOT MAKE PERSONAL, IMPERTINENT, SLANDEROUS OR PROFANE REMARKS, AND SHALL ADDRESS THE COUNCIL AS A WHOLE.

5. IF A LARGE NUMBER OF SPEAKERS HAVE PREREGISTERED TO ADDRESS COUNCIL, THE PRESIDING OFFICER OR A MAJORITY OF COUNCIL MAY SHORTEN THE TIME LIMITS SET FORTH AND/OR MAY REQUEST THAT COMMENTS ON A PARTICULAR SUBJECT BE LIMITED TO SPOKESPERSONS AUTHORIZED TO REPRESENT PARTICULAR POSITIONS OR VIEWPOINTS.

6. THE SPEAKING TIME LIMITS SET BY THIS RULE MAY BE EXTENDED IF FIVE OR MORE MEMBERS APPROVE A MOTION TO EXTEND. WHILE A QUESTION REGARDING EXTENSION OF A SPEAKER'S LIMIT IS BEING DECIDED BY THE COUNCIL, THE SPEAKER SHALL BE ORDERLY AND SILENT UNTIL RECOGNIZED BY THE PRESIDING OFFICER TO CONTINUE.

3. ALL OF THE FOLLOWING STEPS MAY BE TAKEN TO ENFORCE THE RULES OF ORDER AND DECORUM AT MEETINGS:

A. WARNING. THE PRESIDING OFFICER SHALL DIRECT THAT A PERSON WHO IS BREACHING THE RULES OF DECORUM BE ORDERLY AND SILENT. IF, AFTER RECEIVING A WARNING FROM THE PRESIDING OFFICER, THE PERSON DOES NOT ACT AS DIRECTED, THE PRESIDING OFFICER MAY DIRECT THE SERGEANT-AT-ARMS TO REMOVE THAT PERSON FROM THE PODIUM OR COUNCIL CHAMBERS, WHICHEVER IS APPROPRIATE.

B. MOTION TO ENFORCE. ANY MEMBER OF COUNCIL MAY MOVE TO REQUIRE THE PRESIDING OFFICER TO ENFORCE THESE RULES, AND AN AFFIRMATIVE VOTE OF A MAJORITY OF COUNCIL ON THE MOTION SHALL COMPEL THE PRESIDING OFFICER TO DO SO. IF THE PRESIDING OFFICER FAILS TO CARRY OUT THE WILL OF A MAJORITY OF COUNCIL, THE MAJORITY MAY DESIGNATE ANOTHER MEMBER OF COUNCIL TO ACT AS PRESIDING OFFICER FOR THE LIMITED PURPOSE OF ENFORCING ANY RULE.

C. RECESS OR ADJOURNMENT. IF A MEETING OF COUNCIL IS DISTURBED OR DISRUPTED IN SUCH A MANNER AS TO MAKE INFEASIBLE OR IMPROBABLE FOR THE RESTORATION OF ORDER, THE MEETING MAY BE RECESSED, ADJOURNED OR CONTINUED BY THE PRESIDING OFFICER OR AN AFFIRMATIVE VOTE OF A MAJORITY OF COUNCIL, AND ANY REMAINING COUNCIL BUSINESS MAY BE CONSIDERED AT THE NEXT MEETING.

RESOLUTION #328

BY COUNCILMEMBER BELEN

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Capital City area will be visited June 14 and 15 by Chief 'Folake Solanke SAN, President-Elect of Zonta International, which is a worldwide service organization of executives in business and the professions working to improve the legal, political, economic and professional status of women; and

WHEREAS, President-Elect 'Folake is a member of the Zonta Club of Ibadan, Nigeria, and she will meet with local Zontians to promote the Zonta International Convention that will be held at the Detroit Westin Hotel in July 1994; and

WHEREAS, having taught Latin and mathematics in England and Nigeria as a young adult, President-Elect 'Folake turned to the law, and her contributions as a legal practitioner led to her being given the title of "Chief" (literally translated as "Mother of Law") by her government, and she has been an outspoken advocate of using law to improve the status of women;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 7th day of June, 1993, hereby welcomes Chief 'Folake Solanke SAN, President-Elect of Zonta International, to the Capital City, and offers best wishes for a successful convention in Detroit in July 1994.

By Councilmember Belen

Carried unanimously

ORDINANCES FOR INTRODUCTION

AMENDING CHAPTER 1042, SECTION 1042.04

WASTEWATER TREATMENT RATES FY 1993-94

By Councilmember Benavides

That the following ordinance of the City of Lansing, Michigan providing that the Code of Ordinances be amended by

Amending Chapter 1042, Section 1042.04 for the purpose of

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

providing for an increase in certain rates and charges for services furnished by the City Sewage Disposal System

Was introduced by Councilmember Benavides, read a first and second time by its' title and referred to the Committee on Ways and Means

RESOLUTION #329
RESOLUTION SETTING PUBLIC HEARING

By Councilmember Benavides

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, June 21, 1993 at 7:00 P.M. in the City Council Chambers on the 10th Floor of Lansing City Hall located at 124 W. Michigan Avenue for the purpose of considering an Amendment to Chapter 1042, Section 1042.04 for the purpose of providing for an increase in certain rates and charges for services furnished by the City Sewage Disposal System

Interested persons are invited to attend this public hearing

Carried unanimously

ORDINANCES FOR PASSAGE

By Councilmember Schmidt:

That we proceed to the passage of Ordinances.

By Councilmember Schmidt:

That the Ordinance when read be considered as read in its entirety.

BY THE COMMITTEE OF THE WHOLE

By Councilmember Schmidt:

Resolved by the City Council of the City of Lansing that an Ordinance; Amending Chapter 630 by Adding a New Section, Section 630.14 to the Codified Ordinances of the City of Lansing, Michigan, for the purpose of providing for the Prohibition of Knowingly Loitering in Places where Prostitution or Solicitation Occurs, be placed on order of immediate passage.

BY THE COMMITTEE OF THE WHOLE

By Councilmember Schmidt:

Resolved by the City Council of the City of Lansing that an Ordinance; Amending Chapter 630 by Adding a New Section, Section 630.14 to the Codified Ordinances of the City of Lansing, Michigan, for the purpose of providing for the Prohibition of Knowingly Loitering in Places where Prostitution or Solicitation Occurs, be now passed.

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

NAYS: None

ABSENT: None

ORDINANCE NO. 862
AN ORDINANCE TO AMEND CHAPTER 630 OF THE CODE OF THE CITY OF LANSING BY ADDING A NEW SECTION 630.14 TO PROVIDE FOR THE PROHIBITION OF KNOWINGLY LOITERING IN PLACES WHERE PROSTITUTION OR SOLICITATION OCCURS.

The City of Lansing ordains:

Section 1. That Section 630.14 be added to the Codified Ordinances of the City of Lansing, Michigan, to read as follows:

630.14 LOITERING IN PLACES WHERE PROSTITUTION OR SOLICITATION OCCURS.

NO PERSON SHALL KNOWINGLY LOITER IN OR ABOUT ANY PUBLIC PLACE WHERE AN ACT OF PROSTITUTION OR SOLICITATION FOR LEWD CONDUCT OR AN ACT OF PROSTITUTION HAS OCCURRED OR IS OCCURRING. FOR THE PURPOSE OF THIS SECTION, THE FOLLOWING DEFINITIONS SHALL APPLY:

(a) "PUBLIC PLACE" MEANS ANY AREA VISIBLE TO THE PUBLIC, INCLUDING WITHOUT LIMITATION, STREETS, SIDEWALKS, ALLEYS, PARKS, DRIVEWAYS, PARKING LOTS, VEHICLES (WHETHER IN MOTION OR NOT), AND BUILDINGS OPEN TO THE PUBLIC, INCLUDING THOSE WHICH SERVE FOOD OR DRINK OR PROVIDE ENTERTAINMENT, AND INCLUDING THE DRIVEWAYS AND ENTRANCES TO SUCH BUILDINGS OR DWELLINGS.

(b) "ACT OF PROSTITUTION" MEANS TO ENGAGE IN SEXUAL RELATIONS FOR HIRE OR FOR MONETARY REWARD.

(c) "LEWD CONDUCT" MEANS CONDUCT WHICH INVOLVES THE TOUCHING OF THE GENITALS, BUTTOCKS, OR HUMAN BREAST FOR THE PURPOSE OF SEXUAL AROUSAL, GRATIFICATION, ANNOYANCE, OR OFFENSE, IF THE ACTOR KNOWS OR SHOULD KNOW OF THE PRESENCE OF PERSONS WHO MAY BE OFFENDED BY HIS/HER CONDUCT.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by City Council.

By Councilmember Schmidt

That this Ordinance, being necessary for the immediate preservation of the public peace, health or safety, shall take effect upon its' passage

Carried unanimously

MARILYNN SLADE, CITY CLERK

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Belen, a resolution of welcome to Chief Folake Solanke SAN, President-Elect of Zonta International

HANDLED AS RESOLUTION #328

2/ From Councilmember Beal, a copy of an ordinance on prostitution adopted by the City of Portland, Oregon

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PUBLIC SERVICES

3/ From Councilmember Benavides, that the tribute to Joel Condell be moved up to the Special Ceremonies portion of the Agenda

TRIBUTE GIVEN DURING SPECIAL CEREMONIES PORTION OF THE AGENDA

4/ From Councilmember Ford, a Committee Report recommending approval of an amendment to Chapter 630, Prohibiting Loitering in places where Prostitution or Solicitation occurs

HANDLED AS RESOLUTION # 321

REMARKS BY THE MAYOR

Mayor Crawford thanked the Councilmembers for the passage of the ordinance regarding loitering in prostitution areas. He

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

announced that Wednesday, June 9th, the Committee on Trees will be holding its first meeting.

REMARKS BY COUNCILMEMBERS

Councilmember Belen stated she was happy to see some of the staff of the Potter Park Zoo, Friends of the Zoo, and zoo animals here tonight.

Council President Canady stated that he wished to commend Paul Scott for his operating of two cameras simultaneously tonight.

Councilmember Brockwell stated that he encounters prostitutes all over town while he is jogging and is glad that we now have an ordinance that will help to restrict this activity. He stated that he and Councilmember Beal participated in the Michigan Run last Saturday and that it was a big success. He encouraged listeners to volunteer to help staff this run in future years.

Councilmember Beal announced that Bingham Elementary School will be having a carnival on June 12th and hopes all can attend. She also announced the death of Lynn Dean, former Ward 1 Councilmember.

Councilmember Schmidt wished to offer condolences to John Annis on the death of his wife, Helen. She reviewed items that will be on the Traffic Board Agenda of June 9th.

Councilmember Ford offered congratulations to Principal Jim Davis and the P.T.O. of Walnut Street School on their carnival this past Saturday.

PUBLIC COMMENTS

William Bernstein of 420 Baker Street addressed Council regarding his first amendment rights.

David Hollister of 1943 Byrnes asked for the support of the Mayor and the Councilmembers for a resolution calling for the Ingham County Prosecutor to investigate the early retirement plan of the City. This resolution is on the Agenda for the Ingham County Board of Commissioners meeting of June 8th.

Mark Eggleston of 4001 Heathgate thanked Councilmember Schmidt for her comments regarding the condition of the ballfield at Harry Hill. He stated that this field is in very bad condition and hopes that the city will help the School District make improvements.

Lloyd Teets of 116 E. Elm Street stated that, although Proposal A was approved by the voters of Ingham County, it was rejected by the voters of the City of Lansing. He stated that it was a shame that only 20,000 people voted for this proposal when there are 85,000 registered voters in the city and that includes the dead people in cemeteries who didn't vote. He stated that when he is City Clerk, he intends to change that.

Paget Maynard of 902 W. Shiawassee stated that he wished more information would be made available to members of the public about pending council actions.

Marge Ojibway of 429 W. Ionia stated that she would like to hear the reasons why—why women are forced to prostitute themselves, why criminals do the things they do, etc. Maybe if we learned why, we could do something to make changes.

Ammahad Shekarakki of 902 Willow Street stated that we need to be careful about people's rights when passing ordinances such as the one regarding loitering in prostitution areas. He stated that Council suddenly seems interested in doing something for the neighborhoods now that it is a city election year.

Andrew Anthos of 208 W. Hillsdale read part of the proposed dedication ceremonies for the lighting of the Capitol dome.

Paul Scott of 412 W. Kilborn stated that Citizens for a Better Lansing was the group that called for an investigation into the early retirement plan by the Ingham County Prosecutor. He was surprised that Mr. Hollister did not contact this group before presenting his information tonight. In fact, the Citizens for a Better Lansing will probably be asking the Ingham County Commissioners to pull the resolution regarding early retirement from their Agenda of June 8th.

Harold Leeman of 529 N. Francis St. asked if Councilmember Benavides would add to the Agenda for the Committee on Ways and Means a discussion on providing an informational booklet about Rule !9 to the general public. He requested that Councilmembers provide an update on the costs of litigation for the early retirement lawsuit.

Jim Bennington of 1318 Edward Street stated he wished to praise Councilmembers Ford and Lilly for their efforts in helping raise money for the Lansing Youth and Recreation Fund. He announced that there will be a March for Jesus on June 12th beginning at Eastern High School and invited all to attend.

ADJOURNED 10:30 P.M.
MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, June 14, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
June 14, 1993

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Canady

PRESENT: Councilmembers Beal, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

ABSENT: Councilmember Belen

INVOCATION AND PLEDGE OF ALLEGIANCE

The Invocation was led by Councilmember Ford and the pledge of Allegiance was led by Girl Scout Troop #68, from Elmhurst Elementary School

CONSIDERATION OF LATE ITEMS

By Councilmember Lilly

To accept the following under suspension of the rules:

1/ From Councilmember Lilly, a letter from Paul Scott regarding vacancies on the Historic District Commission

2/ From Councilmember Lilly, a Resolution of Tribute to Suzanne Wood, State Journal Reporter, and a request that the Resolution be presented to Ms. Wood during the Special Ceremonies portion of the Agenda

Carried unanimously

SPECIAL CEREMONIES

A. Mayor Crawford accepted the presentation of a check in the amount of $25,000 from Lansing Youth and Recreation Fund founder, Kris Nicholoff. Mr. Nicholoff thanked the contributors from the private sector for their donations which will go to the Parks and Recreation Department budget to fund Kids Kamps sites. Mr. Nicholoff announced that next week LYRF will host the 'Magic Johnson Classic' golf tournament, another project to raise funds to contribute to recreation for kids in the City of Lansing. He thanked Councilmember Ford, who is in charge of volunteer staffing and transportation for the tournament.

Mayor Crawford thanked Mr. Nicholoff on behalf of all of the people of the City of Lansing. This project has been a huge help in the launching of recreation programs for the City's youths.

Councilmember Ford thanked Mr. Nicholoff for developing this fund. Magic Johnson approached them last year with an enquiry about doing a benefit to raise money for a worthwhile cause in the City. When the Lansing Youth and Recreation Fund was explained to him he became excited about becoming a part of this fund raising effort. The Magic Johnson Classic was developed over a five month period with the cooperation of a group of 14 people. Magic Johnson is excited about being in Lansing next week to host this tournament. They are expecting a good deal of celebrity participation in the tournament, which boasts 188 golfers. There will be a reception following the tournament at the Radisson. Information concerning tickets to the reception is available at 483-4177.

B. Councilmember Lilly presented a resolution of tribute to Suzanne Wood, the State Journal Reporter covering City Hall. Suzanne is returning to her home State of Georgia after five years in the Lansing area. Ms. Wood thanked Council for the tribute to her.

SCHEDULED PUBLIC HEARINGS

There are no Scheduled Public Hearings

PUBLIC COMMENT

Frank Curtis of 1137 W. Allegan spoke regarding the resolution of tribute to Michigan Organization for Human Rights.

Russell Greear of 3801 Walton said that the ordinance amendment prohibiting encroachments into the right-of-way along public streets having a visual vista to the State Capitol building is an attempt to control a State Building. The City refuses to install electric doors at the entrance to City Hall, thereby, denying access to this building to the handicapped. They must start respecting handicapped, seniors, and Vietnam veterans before they can claim to support human rights.

Harold Leeman of 529 N. Francis asked who will make up for the lost revenue to the maintenance contractor that serves the Downtown Mall and Environs? He asked if the ordinance amendment prohibiting encroachment into the right-of-way along streets looking onto the Capitol building was developed for Sparrow Hospital.

Bob Shumax of 3639 Aragon thanked Council for what they are trying to do for his neighborhood. He received a card saying that the State is going to issue a license for a Foster Care Facility on Glencoe. Will the State be allowed to put this facility in their neighborhood? President Canady said that he believes that the State could not pre-empt the city ordinance governing these uses. The City is going to fight this tooth and nail.

Lloyd Teets of 116 E. Elm St. said that the arrest of William Bernstein and the removal of his signs from the 10th floor lobby is a contradiction to the resolution supporting the Michigan Organization for Human Rights. He believes that Councilmember Ford's statements regarding the Magic Johnson Classic golf tournament constitutes solicitation. This is in violation of the newly adopted Council Rule #19. He will not sign in in advance, and he invited everyone who can hear him speak tonight to show up at Council Chambers next week with their signs to show the city what human rights and civil rights are all about. These are the people's chambers and Council is here to serve the people, not the other way around. The ordinance prohibiting encroachment on streets with a visual vista to the State Capitol building was developed to allow Sparrow Hospital to build their overpass over Michigan Ave.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Canady

Carried unanimously

A. Letter from the Downtown Neighborhood Association regarding Traffic Reduction Experiment and proposed alternatives for Seymour Ave.

REFERRED TO THE MAYOR

B. Letter from North Lansing Community Association requesting a traffic study of US-27 between East Thomas St. and Sheridan Rd. because of the increasingly high traffic volume

REFERRED TO THE MAYOR

C. Petition signed by 7 residents of Ronald St. requesting that the yield sign at the intersection of Ronald and Anson Streets be upgraded to a stop sign

REFERRED TO THE MAYOR

D. Letter from Promotional Media Management on behalf of OMNI WINDOWS requesting a waiver of the requirements for Peddler's License

REFERRED TO THE MAYOR AND
THE COMMITTEE ON GENERAL SERVICES

E. Notice from the State of Michigan Department of Natural Resources of the issuance of a permit for National Pollutant Discharge Elimination System (NPDES) to the City of Lansing Wastewater Treatment Plant

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PUBLIC SERVICES

F. Letter from the Tri-County Regional Planning Commission regarding the request from Paulo Gordillo requesting a street name change from Grand Avenue to Cesar Chevez Avenue

REFERRED TO THE MAYOR

G. Letter from the Charter Township of Lansing regarding the proposed acquisition of Fairview Park by the City of Lansing and supporting the plan proposed by Ingham County Drain Commissioner Pat Lindemann for division of the park

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PHYSICAL DEVELOPMENT

H. Notice from Consumers Power Co. of a Hearing before the Michigan Public Service Commission on June 17, 1993 in consideration of a Possible Rate Increase for the Customers of Consumers Power

RECEIVED AND PLACED ON FILE

I. Letter from the Michigan Municipal League regarding a Silent Auction scheduled from September 9-11, 1993 to benefit their Foundation

RECEIVED AND PLACED ON FILE

J. Letter from Gerald W. Graves of 1623 S. Genesee Dr. regarding a street repair problem at S. Genesee Dr. and Memphis St.

REFERRED TO THE MAYOR

MAYOR'S COMMENTS

Mayor Crawford outlined his letters on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. **RESOLUTION #330**
June 14, 1993
President Canady and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

CABARET: Connxtions

PUBLIC DRIVER: William C. Anthony

TRANSFER CLASS C: From James G. Johnson (Jimmy G's) to Kathleen Nicoll
From DeHaven Development, Inc. (Jim's Tiffany Place) to Eric David Payne

Sincerely,
Marilynn Slade, City Clerk
City of Lansing, MI

By Councilmember Ford

To refer the two requests for Transfer of Class C to the Committee on General Services, and to accept the recommendations of the City Clerk regarding the Cabaret and Public Driver Licenses

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of June 7, 1993 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1/ Acquisition of Fairview Park and subsequent conveyance of a portion of the park to Ingham County

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

2/ Public Improvement I, Richard Road from Dadson to Fisher, Curb and Gutter and Storm Sewer

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

3/ Change of Intent, Purchase of Equipment

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

RESOLUTION #331
The Public Safety Committee

To whom was referred the Mayor's report on a request to install a no parking zone at the east end of Greenwich Court, reports as follows:

The Transportation Division, Traffic Board, and former Mayor

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

McKane recommend that the request to install a no parking zone at the east end of Greenwich Court be approved for Wednesdays, only, during the time of refuse pickup. The committee has reviewed the report from the administration and recommends that the Transportation Division, Traffic Board, and former Mayor McKane's recommendation to install a no parking zone at the east end of Greenwich Court on Wednesdays, only, during the time of refuse pickup, be denied.

Signed: Alfreda Schmidt
Tony Benavides
Charles Ford
Public Safety Committee

By Councilmember Schmidt

That the report of the Committee be adopted.

Carried unanimously

RESOLUTION #332
The Public Safety Committee

To whom was referred the Mayor's report on a request to install multi-way stop signs at the intersection of Marion Avenue and Woodbine Avenue, reports as follows:

The Transportation Division, Traffic Board, and Mayor recommend that the request to install multi-way stop signs at the intersection of Marion Avenue and Woodbine Avenue be denied. The committee has reviewed the report from the administration and concurs that the request to install multi-way stop signs at the intersection of Marion Avenue and Woodbine Avenue be denied.

Signed: Alfreda Schmidlt
Tony Benavides
Charles Ford
Public Safety Committee

By Councilmember Schmidt

That the report of the Committee be adopted.

Carried unanimously

RESOLUTIONS

RESOLUTION #333
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Cheri L. Cowles, on behalf of Fochtman Venture Management Inc., filed a claim against the City in the amount of $463.60 in protest of a special assessment for a trash removal by the City at property located at 131-133 Leslie Street; and

WHEREAS, after investigation and analysis, the City Attorney's staff recommendation was to deny the claim, which was concurred in by the Claims Review Committee; and

WHEREAS, the claimant appealed the denial to the City Council, and the claim and the legal recommendation were reviewed by the Committee on General Services; and

WHEREAS, the Claimant appeared before the Committee, furnishing testimony and evidence in support of the claim; and

WHEREAS, under the particular circumstances of this situation, the Committee finds that the City has no legal obligation to the claimant but recommends that the claim be settled by offering a $20.00 reduction, reducing the trash removal special assessment to $443.60; and

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby offers to settle the claim of Cheri Cowles by reducing the trash removal special assessment to $443.60; and

BE IT FURTHER RESOLVED the Clerk is requested to forward a copy of this resolution to the City Attorney for action; and

BE IT FURTHER RESOLVED if the claimants do not contact the City Attorney to indicate acceptance of this offer by 5:00 p.m. on Friday, June 25, 1993, this claim shall be considered denied.

June 14, 1993

By Councilmember Ford

Carried unanimously

Item XII B., Public Improvement IV, Downtown Mall and Environs—Maintenance Districts and Special Assessments, was pulled from the Agenda and REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

RESOLUTION #334
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 93-015, which authorizes the installation of a yield sign on Pamela Place at Cooley Drive.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #335
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has recommended the reappointment of Barry G. Crown to the Park Board; and

WHEREAS, in conformance with Council policy the Committee interviewed Mr. Crown and recommended that his reappointment be confirmed;

NOW, THEREFORE, BE IT RESOLVED the reappointment of Mr. Barry Crown to the Park Board is hereby confirmed. Term will expire June, 1997.

June 14, 1993

By Councilmember Brookwell

Carried unanimously

RESOLUTION #336
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has recommended the reappointment of Mary Margaret Murphy-Woll to the Park Board; and

WHEREAS, in conformance with Council policy the Committee interviewed Ms. Murphy-Woll and recommended that her reappointment be confirmed;

NOW, THEREFORE, BE IT RESOLVED the reappointment of Ms. Mary Margaret Murphy-Woll to the Park Board is hereby confirmed. Term will expire June, 1997.

June 14, 1993

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

By Councilmember Brockwell

Carried unanimously

RESOLUTION #337
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Whereas, the Committee has reviewed the various requests for waiving assessment costs relating to the provision of mall maintenance services due to construction within the districts; and

Whereas, the Committee believes that to the extent possible, the City should waive costs for services not received due to construction;

NOW, THEREFORE, BE IT RESOLVED, the Lansing City Council hereby adopts a policy, that upon request, the variable costs of the Mall Maintenance Program will be reduced for those locations that are not receiving services due to construction activities, pro rated based upon the number of months services were not provided; and

BE IT FINALLY RESOLVED, that the Administration is hereby requested to implement this policy immediately upon adoption.

June 14, 1993

By Councilmember Brockwell

Carried unanimously

RESOLUTION #338
THE COMMITTEE ON WAYS AND MEANS, to whom was referred the request of the administration for a change of intent to use salary residuals to pay unforeseen supply, administrative, and training expenses related to new Occupational Safety and Health Administration (O.S.H.A.) requirements pertaining to blood borne pathogens,

REPORTS AS FOLLOWS: To protect ambulance personnel and comply with new O.S.H.A. requirements related to protection from blood borne pathogens it has been necessary to expend funds in excess of those originally included within Fire Department operating accounts in the FY 93 budget. Funds have been expended for barrier protection such as gloves and masks, containers for waste materials, and for training materials for affected employees including those in the Fire, Police, and Public Service Departments. These Departments are developing necessary plans to meet O.S.H.A. requirements, and the full cost of such compliance will not be known until such plans are complete. The Administration has fully utilized Charter Executive transfer authority to address these mandated costs, and estimates that an additional $13,600 will be needed prior to year end. While initial expenses have been addressed from residual funds within operating expense accounts in the Police and Public Service Departments, sufficient residuals are not available in Fire Department operating accounts. However sufficient funding is estimated to be available within Fire Department salary accounts, due to position turnover.

Standing Council policy requires Council approval to transfer between salary residuals and operating accounts in excess of Charter Executive Transfer authority. The Committee recommends approval of a change of intent to permit use of $13,600 in salary residuals to meet initial O.S.H.A. blood borne pathogen requirements.

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

That the report of the Committee be approved.

CARRIED UNANIMOUSLY

June 14, 1993.

RESOLUTION #339
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE LANSING CITY COUNCIL

WHEREAS, the Michigan Organization for Human Rights (MOHR) has fought for the rights of all citizens and deserves special recognition for their contributions and accomplishments; and

WHEREAS, the City of Lansing is committed to a vision of fairness and justice and encourages communities to seek civil rights and fairness and to display community pride within their boundaries; and

WHEREAS, the National AIDS quilt will be shown at the Lansing Center from June 24th through June 27th, 1993, and is expected to draw a significant crowd; and

WHEREAS, on Sunday, June 27, 1993, the Pride March will commence in downtown Lansing in recognizing the civil rights of those who come to march;

NOW THEREFORE BE IT RESOLVED, the Lansing City Council wecomes the Michigan Organization for Human Rights and commends them on their ambition to seek civil rights and fairness during their community celebration.

June 14, 1993

By Councilmember Brockwell

Carried unanimously

RESOLUTION #340
BY COUNCILMEMBER LILLY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, for more than a year, readers of the Lansing State Journal have been kept informed about City Hall issues by Suzanne Wood, a talented writer who came to Lansing from Gainesville, Georgia, and is now returning to Gainesville as an editor; and

WHEREAS, as the City Hall beat reporter, Suzanne has covered the felling of trees, the raising of fees, the regulating of sleaze, and the recycling of leaves; and

WHEREAS, Suzanne has become very knowledgeable about CDBG, TIFA, CSO, PMS (pavement management study, not the other kind), ADA, and especially FOI; and

WHEREAS, in pursuit of her official duties, Suzanne has been loyal, brave, courteous, kind, obedient, clean and reverent—KNOT!

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 14th day of June, 1993, and suspending our rules for one more unnecessary resolution of tribute, hereby commends Suzanne Wood for her outstanding

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

devotion to duty that gave her strength to sit through interminable Council meetings, listening to this Council and the many civic-minded residents of Lansing who shared their time and thoughts with us, all toward the noble goal of reporting the news as she perceived it.

By Councilmember Lilly

Carried unanimously

ORDINANCES FOR INTRODUCTION

June 14, 1993

By Councilmember Lilly

AMENDMENTS TO THE PLANNING AND ZONING CODE

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING to consider amendments to Part 12 of the City of Lansing Code of Ordinances, to prohibit the construction and/or placement of encroachments into the public right-of-way along public streets having a visual vista to the State Capitol building which are within the Capitol Center District.

Resolution #341
RESOLUTION SETTING PUBLIC HEARING

AMENDMENTS TO THE PLANNING & ZONING CODE

RESOLVED BY THE PHYSICAL DEVELOPMENT COMMITTEE OF CITY COUNCIL, CITY OF LANSING, that a public hearing be set for June 28, 1993, at 7:00 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, to consider amendments to Part 12, of the Planning and Zoning Code which will restrict encroachment into the public right-of-way along public streets maintaining a visual vista to the State Capitol.

By Councilmember Ford

To excuse Council President Canady from the vote on this item

Carried unanimously

By Councilmember Lilly

To place an affirmative roll on the resolution

Carried unanimously, Council President Canady abstaining

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Lilly, a letter from Paul Scott regarding vacancies on the Historic District Commission

REFERRED TO THE MAYOR

2/ From Councilmember Lilly, a Resolution of Tribute to Suzanne Wood, State Journal Reporter, and a request that the Resolution be presented to Ms. Wood during the Special Ceremonies portion of the Agenda

THE RULES WERE SUSPENDED AND COUNCILMEMBER LILLY PRESENTED RESOLUTION #340 TO SUZANNE WOOD DURING THE SPECIAL CEREMONIES PORTION OF THE AGENDA

TABLED ITEMS

A. BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

FCF-01-93, 2132 Glencoe Way (Foster Care Facility)

MOTION OF EXCUSED ABSENCE

By Councilmember Benavides

To excuse Councilmember Belen from tonight's proceedings

Carried unanimously

MAYOR'S COMMENTS

Mayor Crawford announced that Reverend Michael Murphy began today as the Interim Director of the Human Relations/City Supported Services Department. Anyone wishing to apply for membership on the Neighborhood Advisory Board should contact his office. He reported that the Public Service Department went out and inspected the pot hole reported by former Mayor Gerald Graves. If the hole has not already been repaired, it will be by the end of the week. Anyone who has come across a pot hole is encouraged to report it to the pot hole hotline at 483-4161.

COUNCILMEMBER'S COMMENTS

Councilmember Brockwell reminded everyone that school gets out tomorrow and said he hopes the teachers and kids enjoy their summer. The green stuff coming out of the sewer pipe by the Shiawassee Street Bridge is antifreeze. It's coming from Lansing Community College and is biodegradable. It does not pose an environmental danger. He thanked the Public Service Department for the clean up in his area last Saturday, particularly Mr. Klaus, and everyone who worked on it.

Councilmember Schmidt announced that the annual paint blitz is this Saturday, and the South end of town will get some houses painted this year. She thanked the Planning Department and the Neighborhood Associations for their work on this event. She asked that all drivers be especially conscious of children riding bikes and tricycles now that school is out.

Councilmember Lilly announced that the Committee on Physical Development will not meet this week. They will take up the issue of Fairview Park at their meeting next week.

Councilmember Ford responded to Mr. Teets' complaints about soliciting in Council Chambers by saying that solicitations by Councilmembers are not unauthorized by Council. He congratulated the Eastside Neighborhood Organization for their successful School Fair at Bingham St. Elementary School. He asked that the issue of additional "Free Admission Days" at Potter Park be referred to the Committee of the Whole. At the direction of President Canady, this issue was REFERRED TO THE COMMITTEE OF THE WHOLE.

PUBLIC COMMENTS

Paget Maynard of 902 W. Shiawassee said we need more programs for kids during summer vacation. There will be a "Meet the Candidates Forum" at Kingsley Community Center this Thursday night at 6:30. The Black Child and Family Institute will have their African American Festival this Thursday also. Please participate.

Lee Shunk, Jr. of 601 Leslie St. said someone on City Council could be arrested under the terms of the recently passed loitering ordinance, because it does not specify illegal solicitations.

Russell Greear of 3801 Walton Dr. said that the repair of the pot hole near former Mayor Grave's house shows that City Council

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

represents interests as usual. He asked if Council was being paid off for their votes regarding the air rights over Michigan Avenue for Sparrow Hospital. If public comments must be limited, councilmember comments should be limited too.

Andrew Anthos, no address given reminded everyone that today is Flag Day. He read from a schedule of events for the Dome Lighting Ceremony to be held June 21, 1993 on the steps of the State Capitol.

Mary Massoglia of 2911 Cooley Dr. thanked Council for the yield signs recently installed in her neighborhood, however, they were installed on the wrong street. They should face Rossiter rather than Cooley Dr. She asked what the actual cost of Phase Three of the Lansing Center would be. Mayor Crawford responed that it will cost $13,000,000.

Gary Guigelaar of 2104 Lyons advised City Council to leave Sparrow Hospital and Michigan Avenue alone. They do not need another blockade to the State Capitol.

Ken Vaughan of 114 Garden St. asked how many residents have to object to an ordinance or resolution before Council will reconsider it?

Virginia Elzinga of 1019 Hickory St. said there is still prostitution going on in her neighborhood. The backyards and lawn furniture of residents are being used for these purposes. She reported a problem with bushes growing out into the sidewalk at the house two houses west of her.

Dave Turnquist of 3627 Lowcroft presented Council with a petition signed by 36 residents of Lowcroft and Rouse streets requesting the installation of a stop sign at this intersection. There is a very high volume of traffic travelling at high speed. They are concerned for the safety of their children. At the direction of Council President Canady this issue was REFERRED TO THE TRAFFIC BOARD.

Mary Prince of 2116 Ferrol St. said that the area around the Lansing Center is in a state of distress, and she would like to know how long it will be before this area is back to normal and how much money it will have cost when it is finished. Councilmember Benavides responded that all reports and surveys showed the necessity for this expansion. At least $25,000,000 will be spent by the time the expansion is completed in March of 1994. Ms. Prince asked why the rest of the city should do without the infrastructure repairs it needs while this expansion takes place. The railroad crossing on Grand River badly needs repair. There are two Vietnam veterans who must cross these tracks daily in wheel chairs and the tracks are a safety hazard.

Richard Christmas of 1124 N. Jenison brought in copies of "Space Day" resolutions and asked that this issue be referred to the Committee of the Whole. At the direction of President Canady, this issue was REFERRED TO THE COMMITTEE OF THE WHOLE.

Lloyd Teets of 116 E. Elm St. said that he voted at 9:00 A.M. this morning and he was the first voter at his precinct. Phase I of the Lansing Center cost $17,000,000, Phase II cost $25,000,000, and Phase III will cost $13,000,000 bringing the total cost to $55,000,000. Compare this cost to the cost of building the Breslin Center. He repeated his invitation for everyone listening tonight to bring their signs and join him in his protest next week.

No name, no address given, objected to the wording of the loitering ordinance passed last week, saying it is too vague.

Bob Egan of 733 W. Shiawassee, President of the Michigan Organization of Human Rights, thanked Council for passing the resolution in support of his organization. They are working to bring the "Aids Quilt" to Lansing.

Ammahad Shekarakki of 902 W. Willow said employers are still practicing discrimination in their hiring practices. He urged the voters of the city to show some backbone when they vote in the general election this fall.

Gladys Prince of 2116 Ferrol St. suggested that they designate certain places for prostitution, similar to the old bawdy houses. She protested the physical abuse of women by men.

Paul Scott of 412 W. Kilborn asked why the public is angry about the loitering in prostitution areas ordinance, but, does not object to the ordinance prohibiting loitering in drug areas. Neighborhood representatives read this proposed ordinance carefully before it was passed by Council. Prostitution is a devastating occurrence for neighborhoods.

Harold Leeman of 529 N. Francis asked Council to look into the reason that the agendas for tonight's meeting were not mailed last Friday. He inquired as to the disposition of the requests for transfer of Class C Liquor Licenses on tonight's agenda. Councilmember Ford informed him that they had been referred to the Committee on General Services. Mr. Leeman asked when the City swimming pools would open. He reminded everyone that next week is the Public Hearing on Phase III of the Lansing Center project and Councilmember's Ford and Lilly have announced that they will not be present at that meeting. Every Councilmember should be in attendance at this meeting for the Public Hearing.

ADJOURNED 9:05 P.M.

MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, June 21, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
June 21, 1993

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Canady

PRESENT: Councilmembers Belen, Benavides, Brockwell, Canady, Lilly, Schmidt

ABSENT: Councilmember Beal (arrived 7:25 P.M.), Councilmember Ford (arrived 7:35 P.M.)

The Invocation and Pledge of Allegiance were led by Councilmember Brockwell

CONSIDERATION OF LATE ITEMS

By Councilmember Belen

To accept the following under suspension of the rules:

1/ From Councilmember Belen, a letter from Abel Sykes, President of Lansing Community College, and a request that the letter be read into the record

2/ From Councilmember Belen, a resolution adopted by the Lansing 2000 Group, and a request that they be allowed to read it into the record

3/ From Councilmember Benavides, a Committee Report from the Committee on Ways and Means regarding the purchase of equipment for Council offices

4/ From Councilmember Schmidt, a memo regarding a Traffic Control Request at the corner of Allegan and Kalamazoo

5/ From Councilmember Lilly, a letter from Mayor Crawford recommending the appointment of Paul Scott to the Historic District Commission

6/ From Councilmember Brockwell, a letter from the Ingham County Health Department regarding their conditional approval of the Transfer of a Class C liquor license for Gregory Eaton

7/ From Councilmember Brockwell, a letter from the City of Lansing Planning Division regarding their conditional approval of the Transfer of a Class C liquor license for Gregory Eaton

Carried unanimously

SPECIAL CEREMONIES

A. Ron Callen, Chairperson of the Ad Hoc Committee on Tree Preservation, presented a review of the Committee's activities. It is a very active committee with a lot of diversity among its' membership. They made a recommendation to lift a portion of the Tree Cutting Moratorium to the extent that hazardous trees may be removed. Councilmember Belen complimented Mr. Callen on the thoroughness of his Committee Report and the good job the Committee is doing.

SCHEDULED PUBLIC HEARINGS

A. In consideration of Phase III Lansing Convention/Exhibition Center and Associated Facilities and Parking System Project

The following people appeared and spoke in favor of this project:

William H. Coultas of 1805 Penobscott, President of Lansing 2000, who submitted the following resolution adopted by the Lansing 2000 Corporation

CERTIFIED COPY OF RESOLUTIONS OF THE EXECUTIVE COMMITTEE OF LANSING 2000, INC.

The undersigned, being the duly appointed, qualified and acting President of Lansing 2000, Inc., a Michigan non-profit corporation (the "Corporation"), does hereby certify that the following resolutions are a true and complete copy of resolutions adopted by the Executive Committee of the Corporation on June 15, 1993.

RESOLVED, that Lansing 2000 hereby supports and encourages the Lansing City Council to approve the Tax Increment Finance Authority of the City of Lansing ("TIFA") Third Amended Development Plan with respect to Phase III of the Lansing Convention/Exhibition Center and Associated Facilities and the Parking System Project Development Program, a copy of such Third Amended Development Plan bearing a draft date of May 25, 1993 being attached hereto and incorporated herein by this reference (the "Plan"); and

RESOLVED, FURTHER, that Lansing 2000 hereby encourages the Lansing City Council, to the extent possible and to the extent permissible under the Plan, to repay the TIFA Bonds issued under the Plan on an expedited basis; and

RESOLVED, FINALLY, that Lansing 2000 hereby reiterates its support of the Phase III Lansing Convention/Exhibition Center Expansion and encourages the Lansing City Council to apply a portion of the TIFA bond proceeds toward the continued expansion of the Lansing Center.

IN WITNESS WHEREOF, I have hereunto set my hand this day of 1993.

William H. Coultas, President

and the following people appeared and spoke in opposition to the project:

Betty Kost of 1425 McIntyre Crt.
David Hollister of 1943 Byrnes
Russell Greear of 3801 Walton
Jean MacDonald of 619 Moores River Dr., Ingham County Commissioner
Lloyd Teets of 116 E. Elm
Ken Vaughan of 114 Garden St.
Ron Rousch of 505 E. Geneva, who read the following letter from Abel B. Sykes, Jr., President of Lansing Community College

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

June 21, 1993

Mr. Mark Canady, President
Lansing City Council
City Hall
Lansing, MI 48933

Dear Mr. Canady:

This letter is to inform the Council of the position of Lansing Community College regarding the Public Hearing relating to the Third Amended Development Plan and Third Amended Tax Increment Financing Plan of the Tax Increment Finance Authority of the City of Lansing (Phase III—Lansing Convention/Exhibition Center and Associated Facilities and Parking System Project). I would have been there to present these concerns in person, however our Board of Trustees has its regular meeting this evening and therefore I am unable to attend the council meeting. I do request this correspondence be placed in the record.

While we have some understanding of the complexity of this issue, nevertheless the proposed solutions pose a continuing negative impact on Lansing Community College.

In order for the Council to understand the college's perspective, it is important that some events which transpired since 1964 be stated because they relate to the issue currently before you.

A perusal of the record will indicate that the City Council, through passage of a number of resolutions, expressed its desire that Lansing Community College locate its permanent campus in downtown Lansing. The record is also replete with numerous indications that the city would assume a significant responsibility to insure that adequate parking would be available to accommodate the college's students and staff. It is our contention that those considerations have not been adequately met. Indeed, as the college continues to grow, the lack of parking has had a significant impact, not only in the cost of maintaining our campus downtown, but more importantly in creating continuing difficulty for our students and staff to be able to find places to park at reasonable rates. This issue has had an impact on our growth, both in terms of facilities and, we believe, in terms of student enrollment.

The current question and proposed solution of whether to extend the Tax Increment Finance Authority for purposes of supporting parking and the Lansing Center, while it is a significant and important issue for the city, does have a continuing negative financial impact on the college. When this project was first initiated, the college in an attempt to be a cooperative downtown citizen, did not assume an aggressive position of opposition to the project. However, the extension of this project to the possibility of some 30 years for purposes of paying off the bonds, will not only deprive LCC of needed tax revenue, but it will not significantly alleviate our parking problem.

This issue could not have come at a more difficult time. As you may be aware, we have been awarded a $25 million building project. You may or may not be aware that there is interest on the part of some members of our Board of Trustees, particularly those who are representing areas outside of Lansing, in providing expansion of our college capabilities in the under-served county areas. We have been and are considering leasing space in these areas to provide services to the students. Now we are confronted once again with a project, the results of which will provide less revenues for us, while at the same time we are searching for a site to put this $25 million facility. The political implications are rather obvious. It is becoming more difficult for us to maintain a vital single campus in downtown Lansing.

Mr. President and members of the Council, Lansing Community College is greatly concerned over this issue and wishes to express in the strongest way that it can, that it does not feel that the promises stated and implied by the city to facilitate and aid in alleviating the parking conditions in the college area, have been adequately met. We urge you to

1. take definitive steps with a clearly articulated plan which addresses the issues of Lansing Community College parking which have been long-standing;

2. that a commitment be made in such a manner that concrete results can be expected within the immediate future;

3. in fact, if this resolution is approved, and funds become available through this TIFA prior to the time in which the bonds will be retired, that those revenues be remanded to the college in the proportion which they have been deprived over the period of the entire project.

I am cognizant of the complexity of these issues. I reiterate that LCC eagerly awaits the opportunity to assist in providing solutions which will address the concerns of the city and Lansing Community College. It is in that spirit that I desire to continue to seek solutions which will be mutually beneficial.

Cordially,
Abel B. Sykes, Jr.

-Mary Massoglia of 2907 Cooley
-Paul Gentilozzi of 201 N. Washington
-Ken Brock of 427 Westmoreland
-Frank Curtis 'X' of 1137 W. Allegan
-Harold Leeman of 529 N. Francis
-Michael Ellis of 231 W. Allegan

REFERRED TO THE COMMITTEES ON PHYSICAL DEVELOPMENT, PUBLIC SERVICES, AND WAYS AND MEANS

B. In consideration of an Amendment to Chapter 1042, Section 1042.04 for the purpose of providing for an increase in certain rates and charges for services furnished by the City Sewage Disposal System

The following appeared and spoke in opposition to this amendment:

-George Warren of 831 Crown Blvd., E. Lansing
-David Wiener 1011 Delridge Rd., E. Lansing
-Paul Novak of 1519 Kalamazoo St.
-Dick Baker of 1625 W. Kalamazoo
-Russell Greear of 3801 Walton
-Lloyd Teets of 116 E. Elm
-Bill Long of 3007 Westwood
-Harold Leeman of 529 N. Francis

and there were no speakers in support of the amendment

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE COMMITTEE ON PHYSICAL DEVELOPMENT

PUBLIC COMMENT

William Hubbell of 1003 W. Cavanaugh objected to the City

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

passing a Space Day resolution. This is not their jurisdiction. They should leave this up to the Federal Government.

Pat Lindemann of 709 Buhl, Mason, Ingham County Drain Commissioner, spoke in support of the Resolution for the transfer of Fairview Park. He stated that he has maps of the park and is available for any questions Councilmembers may have.

Russell Greear of 3801 Walton Dr. spoke regarding the Committee Report on the security system for Circuit Court. The City installed this system and then shut it off. Without the security system the judges have no protection.

George Warren of 831 Crown Blvd., E. Lansing thanked Council on behalf of the A.F.S.C.M.E. Local for the resolution of tribute to Elvin Pressley.

May Fitzgerald of 1102 N. Foster in Lansing Township thanked Council for the dedication of the Oaketum at Fairview Park as City Parkland. There has been a great deal of pressure to turn this property into a parking lot and the neighborhood sincerely appreciates the fact that it will remain a park.

Ivan Cyars of 1402 Pontiac spoke regarding his claim against the City. He stated that he was physically mishandled by the Lansing Police Department. He stated his intent to refuse the settlement offer approved by the Committee on General Services and pursue his claim through the court system.

Harold Leeman of 529 N. Francis suggested that City Council take a look at the security system for District Court Offices during their consideration of a system for Circuit Court. He requested that Council pull the approval for transfer of a Class C liquor license for Gregory Eaton. He spoke in favor of the preservation of Fairview Park and said that the Drain Commissioner intends to bulldoze ¾ of the park and install a retention basin. Council must be aware that there are private agenda's going on with this issue. They should have put the retention basin on the Marshall Armory property as they initially intended. This is abandonment of the park for short term gain.

Bob Jacobac 2605 Height, an elected Trustee of Lansing Township said that there is quite a lot of marsh land in Fairview Park and it will definitely benefit from having the retention basin installed. He thanked City Council for adopting this resolution.

George Abraham of 225 Strathmore said that Mr. Eaton will renovate the old 'Clock' restaurant at the corner of Logan and Grand River. He will spend thousands of dollars to accomplish this renovation in order to be able to locate his liquor license in the building.

Ed Morris of 1216 W. Ionia spoke in support of the transfer of a class c liquor license for Gregory Eaton.

Eric Payne of 2004 N. Larch spoke in favor of the transfer of a class c liquor license for DeHaven Development and of the transfer for Gregory Eaton.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford:

That Communications and Petitions be considered as being read in full and that the appropriate referrals be made by President Canady Carried unanimously

A. Z-05-93, 1921 W. Holmes Rd. request for rezoning from "A-1" Residential to "DM-1" Residential submitted by Ronald F. Heck to allow for development of 3 multiple dwelling buildings

REFERRED TO THE MAYOR AND THE PLANNING BOARD

B. Letter from the Capital Area Rail Council requesting appointment to their Board

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

C. Notice from the State of Michigan Department of Social Services of their intent to refuse to renew a license for an Adult Foster Care Family Home requested by Polly Ann Nolan of 1221 W. Michigan Ave.

REFERRED TO THE MAYOR

D. Letter from Continental Cablevision of Michigan regarding certification and the 1992 Cable Act

REFERRED TO THE CITY ATTORNEY

E. Notice from the State of Michigan Public Service Commission of a Public Hearing for the gas customers of Consumers Power Company Case No. U-10030-R on June 25, 1993

RECEIVED AND PLACED ON FILE

F. 1993 Summer Tax Certification and Tax Rate Request, Ingham Intermediate School District

REFERRED TO THE MAYOR

G. 1993 Summer Tax Certification and Tax Rate Request, Holt Public Schools

REFERRED TO THE MAYOR

H. Letter from Kenneth E. Vaughan of Concerned Citizens to Save Lansing requesting prosecution of violations of the City Charter and City Ordinances with regard to the Early Retirement issue

RECEIVED AND PLACED ON FILE

I. Letter from Jim Easter of Easter Enterprises requesting a waiver of the noise ordinance for a show at Riverfront Park, "Party in the Park" to be held July 24, 1993

REFERRED TO THE CITY ATTORNEY AND
THE COMMITTEE ON GENERAL SERVICES

J. Letter from Claude R. Thomas regarding an Amendment to the City Ordinance regulating Wrecker Services

REFERRED TO THE MAYOR,
THE CITY ATTORNEY, AND
THE COMMITTEE ON GENERAL SERVICES

K. Petition signed by 41 residents of Woodview Drive requesting the installation of Stop Signs on Woodview

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PUBLIC SAFETY

MAYOR'S EXECUTIVE ASSISTANT COMMENTS

Ms. Flaherty asked that Item X C-3, appointment of Richard Funk to the Cable Advisory Board, be pulled from the agenda. Mr. Funk has indicated his intent to move out of the area and wishes to withdraw his application.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

on licenses and bonds:

RESOLUTION #342
June 18, 1993

President Canady and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Philip Holmes
VEHICLES FOR HIRE: Northside Service Inc., Royal Treatment Limousine
TRANSFER CLASS C: Gregory's Downtown from 316 N. Capitol to 2510 N. Logan

Sincerely,
Marilynn Slade, City Clerk
City of Lansing, MI

By Councilmember Ford

To approve the Public Driver and Vehicle for Hire licenses. The Transfer Class C license will be approved later in the meeting through a resolution from the Committee of the Whole

Carried unanimously

Transfer Class C (1)

REFERRED TO THE COMMITTEE ON GENERAL SERVICES
(SCHEDULED FOR ACTION AS ITEM XII E-3b.)

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of June 14, 1993 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1/ Reappointment of R. John Strolle to the Board of Water & Light

REFERRED TO THE COMMITTEE OF THE WHOLE

2/ Reappointment of David O'Leary to the Board of Water & Light

REFERRED TO THE COMMITTEE OF THE WHOLE

3/ Reappointment of Richard F. Funk to the Cable Advisory Board

PULLED AT THE REQUEST OF MAYOR CRAWFORD

4/ Reappointment of Luke Schafer to the Cable Advisory Board

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

5/ Reappointment of Russell Shealthelm to the Board of Fire Commissioners

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

6/ Reappointment of Jo Anna Trierweiler to the Board of Fire Commissioners

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

7/ Reappointment of Alfred A. Eger to the Historic District Commission

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

8/ Reappointment of Fred J. Blanck to the Historic District Commission

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

9/ Reappointment of Suzanne Sawyer-Burleson to the Historic District Commission

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

10/ Reappointment of Delma Lopez to the Lansing Housing Commission

RECEIVED AND PLACED ON FILE

11/ Reappointment of Jacqueline Porter Bradford to the Human Relations Board

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

12/ Reappointment of Dorthy K. Nichols to the Human Relations Board

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

13/ Reappointment of Dr. Joan Jackson Johnson to the Human Resources Advisory Board

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

14/ Reappointment of Geri Roossien to the Human Resources Advisory Board

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

15/ Appointment of Stephanie L. Whitbeck to the Historic District Commission

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

16/ Reappointment of Helen Lablanc to the Planning Board

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

17/ Appointment of John P. Ruge to the Planning Board

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

18/ Reappointment of Lorne V. Nichols to the Plumbing Board

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

19/ Reappointment of Robert C. Burns to the Plumbing Board

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

20/ Reappointment of Armida Valdez to the Board of Police Commissioners

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

21/ Reappointment of Charles A. Janssen to the River and Waterfront Board

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

22/ Reappointment of Wayne A. Werner to the River and Waterfront Board

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

23/ Reappointment of Mary S. Clark to the Board of Zoning Appeals

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

24/ Reappointment of Charles Bicy to the Board of Zoning Appeals

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

25/ CSO Tree Report

REFERRED TO THE COMMITTEE OF THE WHOLE

26/ Year End Carry Forwards

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

RESOLUTION #343

THE COMMITTEE ON PUBLIC SAFETY, to whom was referred the letter from Chief Judge Carolyn Stell of the 30th Judicial Circuit regarding lack of a security system for the circuit courtrooms in City Hall,

REPORTS AS FOLLOWS: The Committee discussed this matter with representatives of the Lansing Police Department, the Mayor's Office, and the Circuit Court. Several issues need to be clarified between the judges and the City Administration. The Committee referred this matter back to the Administration for discussion and action. The Committee requests that a report come back to Council on decisions made and actions taken by the Administration.

Signed: Alfreda Schmidt
Tony Benavides
Charles Ford

BY COUNCILMEMBER SCHMIDT:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #344

THE COMMITTEE ON WAYS AND MEANS, to whom was referred the request of the administration and the Tri-County Metro Board for a change of intent to use residual funds within the Metro evidence fund account to purchase needed equipment items,

REPORTS AS FOLLOWS: Excess funds are available in the Metro's evidence fund account due to lower than budgeted purchases of illegal substances. A new copier is needed as the current copier is subject to frequent breakdown and excessive maintenance ($5,150). A new telephone system is needed as the current system has insufficient capacity for current positions and interface with Ingham County Prosecutor's Office and State Police ($6,587). A transcriber is needed to improve reporting ($208). A package transmitter is needed to track packages being shipped by package services ($700). An evidence heat sealer and bag material is needed at the request of the State Police Crime Lab, for processing of seized materials ($1,143). Metro funds are under the authority of the Metro Governing Board, and are budgeted and accounted for by the City of Lansing under agreement between the parties.

Standing Council policy requires Council approval of a change of intent for purchase of equipment items which were not included in the original budget, exceeding Charter Executive Transfer authority. The Committee recommends approval of a change of intent for use of $13,788 in Metro evidence fund money for purchase of a copier, telephone system, transcriber, package transmitter, bag sealer and bag materials.

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

That the report of the Committee be approved.

CARRIED UNANIMOUSLY

June 21, 1993.

RESOLUTION #345

THE COMMITTEE ON WAYS AND MEANS

TO WHOM WAS REFERRED: The request for replacement of a portion of Council equipment.

REPORTS AS FOLLOWS: Due to the increasing maintenance costs of the clerical support P.C's and the printer, the Vice-President and the Ways and Means Committee recomnend approval of the staff's request for three Sony Screens/$1,830 each installed and one laserwriter Pro 600/$1,925 Total Cost $7,415. Funds to be utilized from residuals within the City Council budget.

The Council staff made this request only after experiencing many problems within the last year with the existing equipment which is approximately 7 years old.

SIGNED: Tony Benavides
Bob Brockwell
Alfreda Schmidt

BY COUNCILMEMBER BENAVIDES

That the report of the committee be adopted.

CARRIED UNANIMOUSLY

RESOLUTIONS

RESOLUTION #346

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Eric David Payne has applied to the Michigan Liquor Control Commission to transfer ownership of a 1992 Class C licensed business, located at 116-118 East Michigan Avenue, from DeHaven Development, Inc., to add a new Dance-Entertainment Permit to be held in conjunction with the Class C license, and to transfer location from 116-118 East Michigan Avenue to 2004 North Larch Street; and

WHEREAS, the City Clerk has reported that the application has been reviewed and approved by appropriate City staff; and

WHEREAS, the Committee on General Services has reviewed this

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

matter and recommends that the application be forwarded to the Commission with a positive recommendation;

NOW, THEREFORE, BE IT RESOLVED by the Lansing City Council that the request from Eric David Payne to transfer ownership of a 1992 Class C licensed business, located at 116-118 East Michigan Avenue, from DeHaven Development, Inc., to add a new Dance-Entertainment Permit to be held in conjunction with the Class C license, and to transfer location of the license from 116-118 East Michigan Avenue to 2004 North Larch Street, is hereby recommended for approval.

June 21, 1993

By Councilmember Ford

Carried unanimously

RESOLUTION #347
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Ivan Cyars filed a claim against the City in the amount of $1,500.00 for damages allegedly related to his arrest on a robbery charge; and

WHEREAS, after investigation and analysis, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the claim and the legal recommendation were reviewed by the Committee on General Services; and

WHEREAS, the claimant appeared before the Committee, furnishing testimony from himself and several witnesses, plus evidence in support of the claim; and

WHEREAS, under the particular circumstances of this situation, the Committee finds that the City has no legal obligation to the claimant but recommends an offer to settle the claim in the amount of $50.00 to remove and straighten the rear seat frame of the automobile in the claimant's charge at the time of the arrest, and which sustained minor damage during a search by Lansing police officers;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby directs the City Attorney to make an offer to settle the claim of Ivan Cyars in the amount of $50.00; and

BE IT FURTHER RESOLVED the City Attorney shall make payment of the approved amount after appropriate releases are signed by the claimant; and

BE IT FINALLY RESOLVED if the claimant does not accept said offer by 5:00 PM on Friday, July 2, 1993, the entire claim shall be considered denied.

By Councilmember Ford

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Ford, Schmidt

NAYS: Councilmembers Brockwell, Canady, Lilly

RESOLUTION #348
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT a public hearing be scheduled and announced for 7:00 PM on Tuesday, July 6, 1993, in the 10th Floor Chambers of City Hall, for the purpose of receiving citizen comment on the proposed master plan for renovation of the Turner-Dodge House.

June 21, 1993

By Councilmember Lilly

Carried unanimously

RESOLUTION #349
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 93-014, which authorizes the removal of the four hour metered parking, and installation of no stopping standing or parking on the east side of Walnut street between Saginaw Street and Lapeer Street.

By Councilmember Schmidt

Carried unanimously

Item XII D., Public Improvement IV, Mall Maintenance Special Assessments, was pulled from the agenda at the request of Councilmember Brockwell

RESOLUTION #350
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on July 20, 1969, American astronauts took a giant leap for mankind and placed the first human footprints on the Moon, changing forever our perception of the universe and our relation to it; and

WHEREAS, by bridging the quarter-million mile gap between our Earth and our Moon, the lunar landing was a hallmark achievement for our species, wherein technological advances of each generation built upon those of the previous generations until we could realize a goal shared by all generations back to our most remote ancestors; and

WHEREAS, the desire to explore the unknown is a drive within humans that has produced many of our most important accomplishments and discoveries; and

WHEREAS, the anniversary of the Apollo 11 exploration of the Moon is an appropriate day of the year to reflect upon space exploration, its benefits, and its continuing challenge to humanity;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby designates July 20, 1993, as Space Exploration Day in Lansing.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #351
BY: COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the State of Michigan proposes to adopt a state statute approving a sale with certain restrictions to the City of Lansing property known as Fairview Park; and

WHEREAS, the Mayor, Park Board, Park Director, Public Service Director, and Ingham County Drain Commissioner have recommended that the City accept the purchase of Fairview Park from

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

the State;

NOW, THEREFORE, BE IT RESOLVED that the Mayor is authorized to acquire for one dollar by quit claim deed the property known as Fairview Park, and legally described as:

All of that part of West 30 acres of SW ¼ of Section 11, Township 4 North, Range 2 West, Township of Lansing, lying North of Franklin Avenue (now Grand River Avenue) except that portion conveyed by Act No. 166 of the Public Acts of 1972, described as: Commencing at a point at the intersection of East right of way line of Wood Street and North right of way line of Grand River Avenue, thence East along North line of Grand River Avenue 443.15 feet to a point 19 feet West of West right of way of Fairview Street, thence North parallel with Fairview Street 300 feet, thence East 19 feet to Fairview Street, North along Fairview Street 272.14 feet, thence West 462 feet more or less to East right of way of Wood Street, thence South along Wood Street 583.97 feet to beginning, containing 11.82 acres.

BE IT FURTHER RESOLVED that subsequent to the conveyance by the State of Michigan to the City of Lansing, the Mayor is authorized to convey a portion of the property known as Fairview Park to the Ingham County Drain Commissioner, which property the Ingham County Drain Commissioner shall be responsible for maintaining, subject to the following conditions:

That (1) the property or any portion of the property or any interest in the property cannot be sold or otherwise disposed of without the prior permission of the City Council, the Lansing Township Board and the Michigan Natural Resources Commission; (2) the property shall not be developed or used nor shall there be any construction of any improvements on any portion of the property without prior permission of the City Council, Lansing Township Board, and the Michigan Natural Resources Commission; (3) no activity, or use of the portion of the property which is to be conveyed to the Ingham County Drain Commissioner, shall be permitted which would in any way damage, injure or otherwise harm the Oaketum; (4) if the property is sold, the revenue received shall be deposited in the State Treasury and credited to the General Fund; and, (5) mineral rights be reserved to the State;

BE IT FURTHER RESOLVED that conditions (1), (2), (3), (4) and (5) shall be contained in the quit claim deed from the City to the Ingham County Drain Commissioner; and

BE IT FURTHER RESOLVED that the City of Lansing shall retain legal title and possession of the remaining portion of Fairview Park known as the Oaketum, along with a portion of land on the southern portion of Fairview Park between the Oaketum and Fairview Street, which properties shall be dedicated City park land which may not be sold or otherwise disposed of without a vote of the Lansing residents; and

BE IT FINALLY RESOLVED that the portion of the property which is to be conveyed to the Ingham County Drain Commissioner may be used as a floodwater safety retention basin so long as it does not interfere with the property's use as a natural area; and so long as it is designed in an environmentally-sensitive manner; and permission for such use has been given by City Council, Lansing Township and the Michigan Natural Resources Commission in a separate resolution.

By Councilmember Lilly

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Ford, Lilly, Schmidt

NAYS: Councilmember Canady

RESOLUTION #352
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Kathleen Nicoll has applied to the Michigan Liquor Control Commission to transfer ownership of a 1992 Class C licensed business, with Dance Permit, located at 501-503-505 East Shiawassee Street, from James G. Johnson, Estate, Nancy Schocke, Independent Personal Representative, and for a new Entertainment Permit to be held in conjunction with the license; and

WHEREAS, the City Clerk has reported that the application has been reviewed and approved by appropriate City staff; and

WHEREAS, the Committee of the Whole has reviewed this matter and recommends that the application be forwarded to the Commission with a positive recommendation;

NOW, THEREFORE, BE IT RESOLVED by the Lansing City Council that the request from Kathleen Nicoll to transfer ownership of a 1992 Class C licensed business, with Dance Permit, located at 501-503-505 East Shiawassee Street, from James G. Johnson, Estate, Nancy Schocke, Independent Personal Representative, and for a new Entertainment Permit to be held in conjunction with the license, is hereby recommended for approval.

June 21, 1993

By Councilmember Ford

Carried unanimously

RESOLUTION #353
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, A. Gregory Eaton, doing business as Gregory's Downtown, Inc., has applied to the Michigan Liquor Control Commission to transfer location of a 1991 Class C licensed business with Dance Permit, currently located in escrow at 316 North Capitol Avenue, Suite G, to 2510 North Logan Street; and

WHEREAS, the applicant has requested expedited review of his request; and

WHEREAS, certain of the administrative approvals required prior to action by this Council have been made conditional on the result of a final inspection of the building that will house the licensed business;

NOW, THEREFORE, BE IT RESOLVED by the Lansing City Council that the request from A. Gregory Eaton to transfer location of a 1991 Class C licensed business with Dance Permit, currently located in escrow at 316 North Capitol Avenue, Suite G, to 2510 North Logan Street, shall be considered recommended for approval as soon as the applicant satisfies all local code requirements related to renovation and improvements to the buidling that will house the licensed business.

June 21, 1993

By Councilmember Ford

Carried unanimously

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

RESOLUTION #354
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on June 12, 1993, Alvin J. Pressley passed away suddenly at the age of 52; and

WHEREAS, Mr. Pressley was a respected leader of the United Auto Workers Union who served as president of the 4,000-member UAW Local 602 during 1987-91; and

WHEREAS, through the union and other organizations, Mr. Pressley found a variety of ways to serve this community and its people;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby commends the life and accomplishments of Alven J. Pressley, and expresses heartfelt sympathy to his family and many friends throughout the labor organizations of the Capital City.

By Councilmember Ford

Carried unanimously

RESOLUTION #355
COMMITTEE ON PHYSICAL DEVELOPMENT June 3, 1993

FCF-1-93
2132 Glencoe Way

WHEREAS, pursuant to Act 28, Public Acts of 1977 of the State of Michigan, the Michigan Department of Social Services has notified the City of Lansing of its intent to license a child care institution to provide shelter and care for a maximum of six (6) foster children upon the premises commonly known as 2132 Glencoe Way, more particularly described as:

Lot 145, Waverly Heights No 6 Subdivision, City of Lansing, Ingham County, Michigan

WHEREAS, upon review of the application notice, the Department of Planning and Municipal Development found that:

1. There are other similar licensed facilities, existing or proposed, within 1,500 feet of this proposed facility, and

2. The property is presently developed with a single family residential structure, and

WHEREAS, the Physical Development Committee of the Lansing City Council, to whom the report of the Department of Planning and Municipal Development was referred, has reviewed the report and recommends the denial of a license;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lansing hereby recommends the denial of a child care institution license for the above described premises;

BE IT FURTHER RESOLVED that the City of Lansing return the application notice to the Michigan Department of Social Services, attaching this resolution indicating that this proposed facility is located less than 1,500 feet from another similar facility, existing or proposed, with a recommendation for denial.

By Councilmember Benavides

To table this resolution for a couple of weeks to receive citizen input

Carried unanimously

June 7, 1993

By Councilmember Lilly

To take the resolution from the table

Carried unanimously

June 21, 1993

By Councilmember Lilly

To place an affirmative roll on the resolution of denial for the request for Foster Care Facility to be located at 2132 Glencoe Way

Carried unanimously

ORDINANCES FOR INTRODUCTION

There are no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There are no Ordinances for Passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Belen, a letter from Abel Sykes, President of Lansing Community College, and a request that the letter be read into the record

RECEIVED AND PLACED ON FILE

2/ From Councilmember Belen, a resolution adopted by the Lansing 2000 Group, and a request that they be allowed to read it into the record

RECEIVED AND PLACED ON FILE

3/ From Councilmember Benavides, a Committee Report from the Committee on Ways and Means regarding the purchase of equipment for Council offices

HANDLED AS RESOLUTION #345

4/ From Councilmember Schmidt, a memo regarding a Traffic Control Request at the corner of Allegan and Kalamazoo

REFERRED TO THE MAYOR

5/ From Councilmember Lilly, a letter from Mayor Crawford recommending the appointment of Paul Scott to the Historic District Commission

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

6/ From Councilmember Brockwell, a letter from the Ingham County Health Department regarding their conditional approval of the Transfer of a Class C liquor license for Gregory Eaton

RECEIVED AND PLACED ON FILE

7/ From Councilmember Brockwell, a letter from the City of Lansing Planning Division regarding their conditional approval of the Transfer of a Class C liquor license for Gregory Eaton

RECEIVED AND PLACED ON FILE

TABLED ITEMS

MAYOR'S EXECUTIVE ASSISTANT'S COMMENTS

Ms. Flaherty announced the birth of a baby girl to Mr. and Mrs. Cleophus Boyd. Kelly Danielle Boyd, weighing 4lbs 7ozs. Mr. and Mrs. Boyd sent their thanks to everyone for their support.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

COUNCILMEMBER'S COMMENTS

Councilmember Belen reported speaking to Mr. Moore regarding the traffic problem at Allegan and Kalamazoo. There has been an accident related to this problem in which several children were injured. She requested that Ms. Flaherty speak to Dave Berridge, Traffic Engineer about having the stop light functioning after 6:00 P.M. Regarding the TIFA bond question she wants extensive discussion of this issue prior to its being passed. She has quite a few innovative ideas, but is afraid that her colleagues will not accept them because they have closed minds. They will not have the money they need for the expansion of the Lansing Center if they include this parking systems project on the bond. If they lose the big buildings from the tax rolls, they will lose the money to pay back the TIFA bonds.

Councilmember Lilly announced that appointments to city boards that were referred to the Physical Development Committee will be taken up this Thursday at 3:00 P.M. He referred to letters received by City Council requesting the installation of traffic control devices at US-127 and Sheridan Road; this is an 18 to 24 month process. The Department of Transportation has procedures they must follow and they cannot put up a light in 2 months. He pointed out his tee-shirt a 'Magic Johnson Classic' golf tournament memento. This event was an excellent fund raiser for the Lansing Youth and Recreation Fund. He commended Kris Nicholoff, Charles Ford, and Magic Johnson for this fund raising effort to help the City's kids.

Councilmember Beal apologized for arriving late and promised to review the tape in order to hear the public comments regarding the TIFA. With the defeat of Proposal A, the pressure has been taken off of this issue. Putting the Parking System on the TIFA threatens the expansion of the Lansing Center. She forsees a 42% vacancy rate. They now have an opportunity to reassess and redesign the parking system. They must do so in cooperation with the county, L.C.C., and other entities that will suffer a loss of revenue from this. They must find a solution that will meet everyone's needs by slowing down and really taking a close look at this this summer. She does not want to see this on the Committee of the Whole agenda until these other issues are dealt with.

Councilmember Brockwell said that the parking system produces revenues too. He thanked Councilmembers, the Administration, and staff for their concern over the recent heart attack his father suffered. His father is doing well.

Councilmember Schmidt said that Councilmember Beal left a lot out of her comments about the TIFA and the parking system. Nothing can be built on this property for five years, because, it was purchased with a parking stipulation. She announced receiving a letter from Mrs. Decair regarding the proposed Cat Ordinance, and asked Councilmember Benavides about the status of this ordinance. She introduced her sisters, Punky and Cricket.

Councilmember Benavides said that he felt the public comments received tonight on the TIFA and Wastewater Treatment Rates were very good. Council received excellent information tonight and this input will help them in their committee investigations. He thanked the administration for taking quick action on the problems at the corner of Jolly and Waverly associated with Neo's. This situation should be concluded sometime soon.

Councilmember Ford said that he has sat on the Mayor's Parking Advisory Board for the last couple of years. They should be talking about the the empty spaces in the ramps. They may need to decrease the cost of ramp spaces. They will have to study these issues closely to determine the best course. The Magic Johnson Golf Classic to benefit Lansing Youth and Recreation Fund was a complete success. He thanked Magic Johnson and the Advisory Board of the tournament including Jim Dart and Jud Heathcote and all of the volunteers who helped pull this off. Magic Johnson was there all day along with a host of other celebrities. He will provide an update soon. He thanked Kris Nicholoff for creating the LYRF to raise money for the Lansing Parks and Recreation programs and thanked Walnut Hills Golf Course for hosting the tournament.

PUBLIC COMMENTS

Ken Vaughan of 114 Garden said that anyone who owns a cat can tell you that you cannot control cats. They allow you to let them live with you. He read aloud his letter to President Canady regarding prosecution of Charter or Ordinance violations in regards to the early retirement issue.

Paget Maynard of 902 W. Shiawassee spoke regarding the arrest of Mr. Bernstein for violation of Council Rule #19 last week. There were at least two other violations of that rule at that meeting, he said.

Mary Haney of 1312 Roosevelt said she has heard rumors about Captain Rapp being part of Sergeant Clyde Smith's problems with the Lansing Police Department. Council, she said, should have gotten involved in this situation before it was sent to court. They have to clean up this city before they can bring business into it.

Calvin Anderson of 1112 W. Maple, Chairman of the W. Maple St. Neighborhood Organization, reported that they organized a cleanup of their area. They got excellent cooperation from the neighborhood, Building Inspectors, Community Policing Officers, Quality Dairy, and Sir Pizza. This proves that neighborhoods can make a change. The Board of Water & Light takes a lot of abuse from people at these meetings, he said. He is a neighbor of the Board and has always considered them to be a good neighbor.

Russell Greear of 3801 Walton Dr. asked where are the revenues from the Parking System, mentioned earlier by Councilmember Brockwell, is. Councilmember Schmidt should concentrate on the needs of her own ward instead of getting into everyone elses. The first floor of City Hall is not barrier free, in violation of the Americans with Disabilities Act. He will take this up with the U.S. Justice Department since Council will not do anything about it. He is tired of people going up here and voting retirements for themselves and giving McKane and everyone else money.

Lloyd Teets of 116 E. Elm announced that there has been a new round of arrests for attending City Council meetings. He displayed a sign, which is a violation of Council Rule #19, and was requested by Council President Canady to remove his sign. Mr. Teets refused to remove his sign and stated his intent to be arrested. President Canady instructed the Sergeant-at-Arms to remove him from Council Chambers.

Tim Lewis of 500 S. Pine joined Mr. Teets in his fracas at the podium and insisted that he, too, be arrested.

Andrew Anthos, no address given, criticized President Canady for having Mr. Teets removed from Chambers. He continued reading of the events of the Dome Lighting ceremony.

William Bernstein of 420 Baker St. thanked Councilmembers for their understanding of his health situation. They should have this

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

much concern for other people, and maybe things would be better.

Betty Gardner of 300 Westrin spoke in favor of Sparrow Hospitals request for air rights over Michigan Ave. saying, that she was hit by a man riding a bicycle and severely injured at that location.

Vivian Bloom of 227 S. Eighth St. asked for an explanation of the reasoning that would approve sending a crew out to repair one block of her street without repairing the rest of it. This is not cost effective. Why did they not repair the remainder of her street?

Jack Gunther of 211 Blackcourt thanked Mayor Crawford and City Council for the Memorial Day Parade and the Memorial Service at Little Arlington cemetery. He thanked all of the Departments who had a hand in preparing Little Arlington and everyone who came out and enjoyed the festivities.

Harold Leeman of 529 N. Francis complained that the media should not have left so early and said that he hopes the people watching tonight will call them tomorrow and raise cain. Mr. Worthington, he said, is supposed to be at the end of his contract with the City as Interim Director of the Development Division as of July 1, 1993. He is still disappointed in the conclusion of the Fairview Park issue.

ADJOURNED 11:00
MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, June 28, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
June 28, 1993

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Canady

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Belen

MINUTES

By Councilmember Schmidt

To approve the Printed Council Proceedings of April 26, 1993

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Schmidt

To accept the following under suspension of the rules:

1/ From Councilmember Schmidt; a letter from Dennis Nelson of 13815 Ducharme Dr., in Dewitt regarding the property at 1713 Sunset which contains the Humane Society's Pet Cemetery

2/ From Councilmember Ford; Application for a Cabaret License for Neo's at 3809 W. Jolly Road

3/ From Councilmember Beal; a request that the rules be suspended to allow Eleanor Love, from the Department of Planning and Neighborhood Development, to explain the purpose of the Ordinance Amending the Planning and Zoning Code with regard to encroachments onto the visual vista to the State Capitol

4/ From Councilmember Lilly; a proposed amendment to Chapter 830, Section 830.03(b)(2), regarding approval of liquor license requests

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. In consideration of an Amendment to Chapter 12, the Planning and Zoning Code

Eleanor Love explained the intent of this amendment to the Planning and Zoning Code. It prohibits obstruction of the view of the State Capitol by buildings in the Capitol Center District.

Lloyd Teets of 116 E. Elm St. spoke in opposition to this amendment declaring it to be part of the Sparrow Hospital Package. Creating this district will allow Sparrow to build their skywalk across Michigan Avenue, which will obstruct the view of the Capitol.

Lee Shunk Jr. of 601 Leslie St. said that the Capitol Center District should be extended to reach the city limits on the north, east, and west sides.

Richard Berry of 1230 Eureka St. spoke in opposition to this amendment. Sparrow Hospital does not have the right to block the view to the Capitol, he said. Their are many other options they could exercise, such as an underground tunnel.

Paul Scott of 412 W. Kilborn said this amendment is not about Sparrow Hospital, it is about the right of the City to protect the air space around the capitol. This would give the City design control and review of potential encroachments before they are built.

Ken Vaughan of 114 Garden St. said that this is the first step leading to the approval of the air rights request made by Sparrow Hospital.

Russell Greear of 3801 Walton said that this will block the view for the 2100 Block of Michigan Ave. It is a violation of peoples rights and should not be tolerated.

Andrew Anthos of 208 W. Hillsdale suggested that Sparrow Hospital find some other means to facilitate their needs. They do not have to build a bridge over Michigan Avenue. They could expand their facility on the same side of the street that the hospital currently occupies.

Kathy Larngschwager of 1328 Prospect, Secretary of the PTSA at Pattengill said that the kids going back and forth to school could use the cross walk, however, they would prefer an underpass to a skywalk.

Thomas Riley of 1118 Riley spoke in opposition to the amendment. The State of Michigan just spent $56,000,000 restoring the Capitol Building. It cannot be seen from the north, west, or south sides as it is. This will destroy the only remaining view of the Capitol.

William Hubbell of 1103 W. Cavanaugh agreed that the Capitol Center District should be expanded. If the City is serious about this, they will move the district line on the east side to the city limits.

Harold Leeman of 529 N. Francis asked Councilmember Lilly if this amendment is, indeed, part of the Sparrow Hospital package? Councilmember Lilly said that it is part of their 4 point master plan, however, this request is being taken up independently. Mr. Leeman asked if it were true that Councilmembers Benavides and Canady would be ineligible to vote on the project? President Canady responded that he must recuse himself, but, Councilmember Benavides is waiting for the City Attorney to submit his opinion on the disclosure papers he filed. Mr. Leeman stated that 80% of the community is opposed to this skywalk, and asked if Council would vote on this project this summer, or, delay it until fall? Councilmember Lilly said that this amendment, as well as the rezoning for Sparrow, will be on the agenda for the Physical Development Committee this Thursday and may be reported out for the Council meeting next Tuesday.

Tim Hammond of 734 W. Ionia spoke in support of the skywalk. The citizens need this for safety because of the way people drive and the amount of accidents at this location.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Shelton Phillips of 322 E. Hillsdale said that City Council should do what is good for the City as a whole. If 80% of the citizenry is opposed to this project, then Council should vote against it.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

PUBLIC COMMENT

Lee Shunk of 601 Leslie St. said customers of the Board of Water & Light should be getting a refund.

Lloyd Teets of 116 E. Elm St. noted that there are 28 action items on tonight's agenda. He objected to the two reappointments to the Board of Water & Light, saying that the Board is grossly mismanaged and should not have invested into the Belle River Project. It will cost the City $495,000,000 and send jobs outside the city. They have projected a loss of $16,000,000 this year. Twice last year the citizens of Lansing lost their water power. What role does the Board of Commissioners play, and what responsibility do they bear for these situations. What role does this Council play as the oversight Committee of the Board of Water & Light.

Russell Greear of 3801 Walton Dr. said that the Board of Water & Light does nothing for the low income people of the City. They should not go up there and get this rate increase. It is taking food out of the mouths of people. They should find the money to fund the sewer rates somewhere else.

Paul Scott of 412 W. Kilborn said he has never been appointed to the Historic District Commission before now. This item should be listed as an appointment, not a reappointment.

Harold Leeman of 529 N. Francis asked for an explanation of how city retirees can be used as election inspectors. The City, he said, should have a progressive Cable Board rather than one that cancels all of their meetings.

Kathy Larnschwager of 1328 Prospect spoke regarding the readoption of the ordinance regulating vending permits in city parks. Councilmember Ford responded that this is just setting the public hearing for this ordinance. Councilmember Schmidt said that this Ordinance does not prohibit such activities in parks, it only requires that they secure permits.

Ken Vaughan of 114 Garden St. said that Council has the opportunity to do something positive for the people of the city by giving the parks owners (the citizens of the city) a little lee way on the issue of vending in City Parks.

Alexander Bolt of 1230 Reo Rd. asked to be given the definition of canvassing, as it pertains to the ordinance regarding peddling, soliciting, or canvassing in city parks. Specifically, he asked if this ordinance would prohibit the collection of petition signatures in city parks. This is the kind of erosion of the freedom of the people that is grinding them into oblivion.

Frank Curtis of 1137 W. Allegan said the ordinance regarding peddling in City Parks is wrong. If Council wants to do something for the people, they should get the drugs off the streets. We have enough laws in place right now, what we need is enforcement.

William Hubbell of 1003 W. Cavanaugh spoke regarding the Committee Report from the Committee on Ways and Means dealing with the utilization of city retirees as election inspectors, referees etc.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as being read in full and that the proper referrals be made by President Canady

Carried unanimously

A. Michigan Tax Tribunal Appeals received from:

-3301 E. Michigan Partnership
-Ferris Park Towers
-The Executive House Limited Partnership
-Cedar Street Office

REFERRED TO THE CITY ATTORNEY

B. 1993 Certification of Tax Levy and Tax Rate Request for Waverly School District

REFERRED TO THE MAYOR

C. Claim filed by attorneys on behalf of their client, JoAnna Ankney

REFERRED TO THE CITY ATTORNEY

D. Petition signed by 161 residents of the City requesting a traffic control device at the intersection of Pattengill and W. Mt. Hope

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD

E. Letter from Impression 5 Science Museum requesting that they be recognized as having non-profit status

REFERRED TO THE CITY ATTORNEY AND THE COMMITTEE ON GENERAL SERVICES

F. Letter from the Department of Natural Resources regarding the recent inspection and suggested improvements to the Waste Water Treatment Plant by the Surface Water Quality Division

REFERRED TO THE MAYOR

G. Letters in support of the long term Master Site and Facility Plan by Sparrow Hospital received from:

—Physicians Anesthesia Service, P.C.
—Mrs. S. Marcelle Ammann
—Lansing School District

REFERRED TO THE MAYOR AND THE COMMITTEE ON PHYSICAL DEVELOPMENT

At the request of Councilmember Lilly the letter from Lansing School District was read into the record as follows:

June 17, 1993
Mark H. Canady, President
Lansing City Council
City Hall—Tenth Floor
Lansing, MI 48933

Dear President Canady:

This letter serves as an official notification to you and the other members of the City Council that as Superintendent of the Lansing School District, I support the expansion of Sparrow Hospital and its attempt to provide not only more and better health care to the citizens of Lansing, but to assist the Lansing School District in expanding educational experiences for students in health careers.

As a community, we all stand to benefit from this expansion not only because of the health care provider system, jobs and tax revenue, but because of the career health educational experience that this effort may provide to our students.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

The main issues for the Lansing School District with Sparrow's expansion have been the safety of students because of traffic and traffic congestion and having adequate parking for our staff and the parents of the students we serve. The plan which Sparrow has proposed addresses these concerns.

Furthermore, it is our belief that this expansion, including the pedestrian walk-way over Michigan Avenue as designed in their plan, is not only necessary, but it greatly enhances (from an aesthetic point of view) that section of Michigan Avenue. The Lansing School District has worked with the Eastside Neighborhood Association and the City's Planning Department to help Sparrow design this plan. They have listened to our staff and have modified the plan as necessary to accommodlate our concern for student safety and staff parking.

We ask that you expedite this matter with the appropriate zonings as soon as possible and keep intact the total plan including the pedestrian walkway.

If you have any questions regarding the Lansing School District's position, please do not hesitate to call me.

Sincerely,
Richard J. Halik, Ph.D.
Superintendent of Schools

cc: Nancy Erickson, Joe Damore

H. Letter from Friends of the Capitol in opposition to the construction of a walkway over Michigan Ave. for Sparrow Hospital

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PHYSICAL DEVELOPMENT

At the request of Councilmember Schmidt the letter from Friends of the Capitol was read into the record as follows:

Thursday, June 23, 1993
Mark Canady, President
Lansing City Council
120 W. Michigan Ave.
Lansing, MI 48933

Dear President Canady:

Please convey to the members of the Lansing City Council that the Friends of the Capitol, Inc., Board of Directors has gone on record opposing construction of a walkway over Michigan Avenue at Sparrow Hospital for the following reasons:

—The visual impact of the restored Capitol is not restricted to four or five blocks of the broad avenue along East Michigan Avenue but extends to nearly the city limits. Driving west on Michigan Avenue from the east city limits confirms that a walkway would obstruct this view and destroy one of the great vistas of Michigan.

—The Michigan taxpayers' $58 million investment in the renovation and restoration of the Capitol has resulted in truly a magnificent structure symbolizing Michigan's proud history and democratic institutions, meriting the distinguished status of National Historic Landmark.

—Since the beginning of its construction 121 years ago, the magnificent approach to the Capitol from the east has been as much a part of the building's image as the structure itself, and it follows that any impediment to this vista reflects adversely on the building itself.

—East Michigan Avenue provides the one remaining unobstructed view of the building which gives Lansing its distinctive title of Capitol City.

Action opposing the walkway and notification to the City Council was unanimously approved at the June 17, 1993, meeting of the Friends of the Capitol board. If there are any questions, please contact me at 323-1196. Thank you.

Sincerely,
Daniel P. McCarthy, Secretary

I. Claim Appeal received from Michael Godfrey of 112 Isbell

REFERRED TO THE CITY ATTORNEY AND
THE COMMITTEE ON GENERAL SERVICES

MAYOR'S EXECUTIVE ASSISTANT'S COMMENTS

Mr.Boyd reviewed Items X D-14 through X D-15, appointments and reappointments to City Boards.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. **RESOLUTION #356**

June 28, 1993
President Canady and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

CABARET: Colonial Bar & Grille
PUBLIC DRIVER: Robert James Van Ells

Sincerely,
Marilynn Slade, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of June 21, 1993 for Review

RECEIVED AND PLACED ON FILE

C. Letter from the City Attorney submitting Answer to Petition and Proof of Service regarding the Cedar Street Office's Michigan Tax Tribunal Appeal

RECEIVED AND PLACED ON FILE

D. Letters from the Mayor re:

1/ Traffic Control Request, Hughes Road & Muffitt St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

2/ Traffic Control Request, Forest Ave. & Greenlawn Ave.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

3/ Traffic Control Request, Aurelius Rd. & Main St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

4/ Traffic Control Request, Woodview Dr.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

5/ Parking Regulation Request, Kalamazoo Plaza

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

6/ Z-02-93, 6066 & 6070 S. Dr. Martin Luther King, Jr. Blvd./Logan St.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

7/ Z-03-93, 3104 S. Cedar

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

8/ Z-04-93, 619 E. Michigan Ave.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

9/ SLU-02-92, 1518 S. Washington

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

10/ SLU-04-93, 121 Ferguson St.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

11/ SLU-07-93, 1017 E. Oakland

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

12/ P-01-92, R.E. Olds Plat, Diamond Reo Site

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

13/ Edgewood Glen Apartments

REFERRED TO THE CITY ATTORNEY

14/ Reappointment of Gayle Valentine to the Board of Review

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

15/ Reappointment of Paul E. Todd to the Board of Electrical Examiners

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

16/ Reappointment of Howard Lutz to the Board of Electrical Examiners

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

17/ Reappointment of John C. Morris to the Board of Electrical Examiners

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

18/ Appointment of Brian Jeffries to the Board of Police Commissioners

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

19/ **INTRODUCTION OF ORDINANCE**

AMENDING CHAPTER 844, SECTION 844.18
PEDDLING, SOLICITING OR CANVASSING IN CITY PARKS

By Councilmember Ford

That the following ordinance of the City of Lansing, Michigan providing that the Code of Ordinances be amended by

Amending Chapter 844, Section 844.18 for the purpose of Readopting Section 844.18 which prohibits peddling, soliciting or canvassing in City Parks

Was introduced by Councilmember Ford, read a first and second time by its' title and referred to the Committee on General Services

RESOLUTION #357
RESOLUTION SETTING PUBLIC HEARING

By Councilmember Ford

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Tuesday, July 6, 1993 at 7:00 P.M. in the City Council Chambers on the 10th Floor of Lansing City Hall located at 124 W. Michigan Avenue for the purpose of considering an Amendment to Chapter 844, Section 844.18 for the purpose of Readopting Section 844.18 which prohibits peddling, soliciting or canvassing in City Parks

Interested persons are invited to attend this public hearing

By Councilmember Ford

To accept the recommendations of the Mayor and introduce an Amendment to Chapter 844, Section 844.18 for readoption and set a public hearing for July 6, 1993

Carried unanimously

20/ Change of Intent, Crossrobics 1650LE

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

RESOLUTION #358
THE COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the proposed ordinance to amend Chapter 1042 of the Lansing Code of Ordinances for the purpose of providing for an increase in certain rates and charges for services furnished by the City Sewage Disposal System,

REPORTS AS FOLLOWS: The Committee has reviewed the proposed rate changes and approved a motion, by a 2-1 vote, to report the ordinance for passage. The rate increase included in the ordinance is the smallest percentage annual increase in more than ten years. The Committee understands that the Committee on Ways and Means, to whom this ordinance was also referred and who has requested to be discharged for purposes of its passage, will continue to explore matters related to rate-setting and meeting the expenses of the Sewage Disposal System.

June 28, 1993

By Councilmember Lilly

That the Report of the Committee be adopted

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Schmidt

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

NAYS: Councilmembers Canady, Ford, Lilly

RESOLUTION #359

THE COMMITTEE ON WAYS AND MEANS, to whom was referred the concern regarding the utilization of City retirees to staff elections,

REPORTS AS FOLLOWS; The Committee on Ways and Means has previously entertained the issue of rehiring City retirees. On April 26, 1993 the Committee requested specific responses to a list of questions and concerns from the Mayor, City Attorney, and General Employees Retirement System Board. The Committee reiterates their previous request for responses and recommendations.

In addition, the Committee did discuss the concept of establishing a "threshold limit" whereby a City Retiree could work as an election worker, sports official, recreation assistant or other similar parttime or contractual employee without forgoing retirement benefits as long as a pre-established annual earning limit is not exceeded. The Committee finds merit in this concept and asks the Mayor, City Attorney, and GERS Board to also consider this concept in their deliberations.

SIGNED: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

That the Report of Committee be approved.

CARRIED UNANIMOUSLY

June 28, 1993.

RESOLUTIONS

RESOLUTION #360

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of Luke Schafer to the Cable Advisory Board for a term to expire June, 1997, is hereby confirmed.

June 28, 1993

By Councilmember Ford

Carried unanimously

RESOLUTION #361

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of Jacqueline Porter Bradford to the Human Relations Board for a term to expire June, 1997, is hereby confirmed.

By Councilmember Ford

Carried unanimously

June 28, 1993

RESOLUTION #362

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of Dorthy K. Nichols to the Human Relations Board for a term to expire June, 1997, is hereby confirmed.

June 28, 1993

By Councilmember Ford

Carried unanimously

RESOLUTION #363

ACT-3-92/ACT-8-93
113/117/119 WEST NORTH STREET

WHEREAS the Lansing Parks Department is desirous of purchasing the properties at 113-117-119 West North Street for the purpose of expanding Turner-Dodge House facilities, and

WHEREAS the Lansing Planning Division has reviewed the proposal and recommends the expansion and the relocation of the residential structures to nearby vacant lots on Capitol Avenue, and

WHEREAS the Lansing Planning Board has reviewed the report of the staff and concurs therein, and

WHEREAS the Physical Development Committee of Lansing City Council has reviewed the report of the Planning Board and concurs therein,

NOW THEREFORE BE IT RESOLVED that

1. The properties at 113 and 119 West North Street be purchased immediately and placed in public auction subject to the following:

a. That a notice be placed in a newspaper of general circulation advertising the auction and specifying the following:

(1) That each structure would be offered for sale along with a vacant building site on North Capitol Avenue being a part of Lots 40 and 41, Dodge Park Addition.

(2) That the moving costs will be the sole responsibility of the purchaser.

(3) That the rehabilitation costs are the responsibility of the purchaser and must be completed within one year of the date of relocation.

(4) That the purchaser must close on the property within thirty days of the auction and will be responsible for all closing costs.

(5) That a $5000 deposit of "earnest" money be placed in an escrow account prior to or on the day of the auction by each bidder and that disclosure of financial capability to complete this project may be requested.

(6) That the purchaser is responsible for the extension of all utility services from West North Street to the building site, including but not limited to storm and sanitary sewer, water, electrical and gas services.

(7) That the purchaser will be responsible for street improvements, including curb and gutter.

b. That the proceeds of this sale be designated for deposit in the Parks Department Acquisition and Development Account.

2. That the City negotiate an option or "right of first refusal" for the property at 117 West North Street with the understanding that when this property has been purchased by the City, it will be sold at public auction under the same conditions listed above for the properties at 113 and 119 West North Street.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

BE IT FURTHER RESOLVED that the City administration be directed to prepare and execute the appropriate documents to complete the above transactions, including the arrangements for the sale and signing the transfer documents for the two vacant parcels on N. Capitol Avenue, more commonly described as:

Lots 40 and 41, of Frank L. Dodge Subdivision, City of Lansing, Ingham County, Michigan, as recorded in Liber 7 of Plats, Page 14, Ingham County Record.

By Councilmember Lilly:

To amend the resolution by adding the word "Development" after the word Physical in the fourth paragraph:

Carried unanimously

By Councilmember Lilly:

To approve the resolution as amended

Carried unanimously

RESOLUTION #364
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS, in Resolution #483 of July 29, 1991, the City Council authorized the acquisition of the residential property at 1600 Coleman Avenue, City of Lansing, Ingham County, Michigan; and

WHEREAS, this action was taken to encourage the rehabilitation of the residential neighborhood, eliminating a negative living environment, providing an opportunity for improved land use in the neighborhood; and

WHEREAS, the Resolution required the property to be sold to a nonprofit housing corporation for rehabilitation as a one-unit residential structure, for inclusion in the Lease-To-Purchase Program; and

WHEREAS, subject property was sold to Lansing Reinvestment Corporation on August 21, 1992; and

WHEREAS, Lansing Reinvestment Corporation has decided that it no longer wants to rehabilitate this property and has returned title to the City by warranty deed; and

WHEREAS, City Council action is needed to reclaim the property and authorize its resale.

NOW THEREFORE BE IT RESOLVED, that the City Council does hereby authorize the City Administration to reclaim 1600 Coleman Avenue, more particularly described as;

The North 43.75 feet of Lot 1, and the North 43.75 feet of the East 24 feet of lot 2, Block 3 of Park Place Addition to the City of Lansing, Ingham County, Michigan, as recorded in Liber 1 of Plats, Page 59, Ingham County Records.

BE IT FURTHER RESOLVED that the City Administration is authorized to prepare and sign the appropriate transfer documents, to sell this property at a nominal fee to another local nonprofit housing entity for rehabilitation as a one unit residential structure with the purchaser paying all closing costs.

By Councilmember Lilly:

Carried unanimously

RESOLUTION #365
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of Alfred A. Eger to the Historic District Commission for a term to expire June, 1997, is hereby confirmed.

June 28, 1993

By Councilmember Lilly

Carried unanimously

RESOLUTION #366
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of Fred J. Blanck to the Historic District Commission for a term to expire June, 1997, is hereby confirmed.

June 28, 1993

By Councilmember Lilly

Carried unanimously

RESOLUTION #367
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of Suzanne Sawyer-Burleson to the Historic District Commission for a term to expire June, 1997, is hereby confirmed.

June 28, 1993

By Councilmember Lilly

Carried unanimously

RESOLUTION #368
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of Helen Lablanc to the Planning Board for a term to expire June, 1997, is hereby confirmed.

June 28, 1993

By Councilmember Lilly

Carried unanimously

RESOLUTION #369
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of Charles Janssen to the River and Waterfront Board for a term to expire June, 1997, is hereby confirmed.

June 28, 1993

By Councilmember Lilly

Carried unanimously

RESOLUTION #370
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of Wayne A. Werner to the River

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

and Waterfront Board for a term to expire June, 1997, is hereby confirmed.

June 28, 1993

By Councilmember Lilly

Carried unanimously

RESOLUTION #371
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of Mary S. Clark to the Zoning Appeals Board for a term to expire June, 1997, is hereby confirmed.

June 28, 1993

By Councilmember Lilly

Carried unanimously

RESOLUTION #372
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of Charles Bicy to the Zoning Appeals Board for a term to expire June, 1997, is hereby confirmed.

June 28, 1993

By Councilmember Lilly

Carried unanimously

RESOLUTION #373
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Stephanie Whitbeck to the Historic District Commission for a term to expire June, 1996, is hereby confirmed.

June 28, 1993

By Councilmember Lilly

Carried unanimously

Item XII B-12, Appointment of Paul M. Scott to the Historic District Commission, was pulled from the Agenda for one week at the request of Councilmember Lilly

RESOLUTION #374
BY THE COMMITTEE ON PUBLIC SERVICE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of Lorne V. Nichols to the Plumbing Board for a term to expire June 1997, is hereby confirmed.

June 28, 1993

By Councilmember Brockwell

Carried unanimously

RESOLUTION #375
PUBLIC IMPROVEMENT IV

BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED, by the City Council of the City of Lansing:

That the supplementary special assessment rolls M9301 and M9302 for maintenance districts and assessments as follows:

DISTRICT M9301
Beginning at the intersection of N. Capitol and W. Shiawassee, E. on Shiawassee (S. side only) to N. Grand Avenue, S. on Grand Avenue (W. side only) to Lenawee Street, W. on Lenawee (N. side only) to S. Capitol Avenue, N. on Capitol Avenue (E. side only) to point of beginning; also Washington Square from Shiawassee (both sides) S. to Lenawee Street; also the following East and West Streets from Capitol Avenue to Grand Avenue (both sides) Ionia, Ottawa, Michigan Avenue, Allegan, Washtenaw and Kalamazoo.

Mall Estimated Cost: $61,841.00
Side Street Estimated Cost: $69,435.50

DISTRICT M9302
Beginning at the intersection of N. Grand Avenue and E. Shiawassee, E. on Shiawassee (S. side only) to N. Cedar Street, S. on Cedar Street (W. side only) to Kalamazoo Street, W. on Kalamazoo (N. side only) to the intersection of S. Grand Avenue, N. on Grand Avenue (E. side only) to point of beginning; also Michigan Avenue (both sides) from Grand Avenue to Cedar Street; also Museum Drive (W. side only) from Michigan Avenue South six hundred eighty (680) feet; also River Street (both sides) beginning at the intersection of Kalamazoo Street to the intersection of Washtenaw Street; also S. Grand Avenue (E. side only) from Lenawee St. to Kalamazoo St.

Estimated Cost: $37,183.00

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to collect said tax on or before the 30th day of October, 1993.

6/28/93

By Councilmember Brockwell:

Carried unanimously

RESOLUTION #376
BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following accounts be reappropriated and carried forward into the Fiscal Year beginning July 1, 1993, in the lessor of the amount indicated or the unencumbered balance;

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

FUND DEPARTMENT MEMO ACCOUNT	MEMO ACCOUNT TITLE	CONTROL ACCOUNT	AMOUNT
GENERAL FUND			
CITY COUNCIL (CHANNEL 28)			
101 112110 977000 0	Equipment	101 112101 992200 0	Unencumbered Balance
101 112101 963001 0	Programming Grants	101 112101 992200 0	Unencumbered Balance
PERSONNEL			
101 172800 743000 0	Profess. Services	101 172800 992200 0	Unencumbered Balance
FROM: 101 172800 743050	Contr. Serv./Temp.	101 172800 992200 0	$4,500
TO:101 172800 977000 0	Equipment	101 172800 992200 0	$1,300
101 172800 941890 0	Software	101 172800 992200 0	$3,200
ADMIN. SERVICES			
FROM: CENTRAL GARAGE			
101 173150 746200 0	Repair/Maint.	101 173101 992200 0	$9,783
TO:CENTRAL GARAGE			
101 173150 746200 0	Repair/Maint.	101 173150 992200 0	$9,783
FROM: 101 173150 978000 0	Vehicles	101 173101 992200 0	$26,714
TO: 101 173150 978000 0	Vehicles	101 173150 992200 0	$26,714
FROM: BLDG. MAINT			
101 173140 746300 0	Project Maint.	101 173101 992200 0	$41,330
TO: PUBLIC SERVICE			
101 453612 746300 0	Project Maint.	101 453603 992200 0	$41,330
LABOR RELATIONS			
FROM: 101 173000 702000 0	Salaries & Long.	101 173000 992200 0	$10,150
BUDGET/LABOR RELATIONS			
TO: 101 173162 702000 0	Salaries & Long.	101 173160 992200 0	$10,150
POLICE			
101 343201 741880 0	Citizen Contr.	101 342201 992200 0	Unencumbered Balance
101 343201 741879 0	D.A.R.E. Donations	101 342201 992200 0	Unencumbered Balance
FIRE			
101 343501 741880 0	Citizen Donations	101 343501 992200 0	Unencumbered Balance
101 343501 741881 0	L.E.P.C. Donations	101 343501 992200 0	Unencumbered Balance
101 343530 741880 0	Smoke Detectors	101 343501 992200 0	Unencumbered Balance
PARKS & RECREATION			
101 783810 741880 0	Contributions	101 783860 992200 0	Unencumbered Balance
101 783810 741878 0	Fireworks Donations	101 783860 992200 0	Unencumbered Balance
101 783833-707000 90001	LYRF- Temp. Help.	101 783860 992200 0	Unencumbered Balance
101 783833-741000 90001	LYRF- Misc. & Oper.	101 783860 992200 0	Unencumbered Balance

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

HUMAN SERVICE AGENCIES				
FROM:	101 833710 960061 0	Health/Mental Health	101 833710 992200 0	Unencumbered Balance
	101 833710 960098 0	Emergency Services	101 833710 992200 0	Unencumbered Balance
	101 833710 960069 0	Child & Family	101 833710 992200 0	Unencumbered Balance
	101 833710 960120 0	Discretionary	101 833710 992200 0	Unencumbered Balance
TO:	101 833710 960120 0	Discretionary	101 833710 992200 0	Unencumbered Balance
CAPITAL IMPROVEMENT PROJECTS				
	101 933890 970000 13021	Park Acq. & Devel.	101 933901 992200-0	Unencumbered Balance
	101 933890 970000 13023	Ballfield Devel.	101 933901 992200-0	Unencumbered Balance
	101 933890 970000 13061	Southside C.C. (New Title)	101 933901 992200-0	Unencumbered Balance
	101 933890 970000 13070	Parks Impr.	101 933901 992200-0	Unencumbered Balance
	101 933890 974000 13017	Basketball Courts	101 933901 992200-0	Unencumbered Balance
	101 933890 974000 13054	Turner Mini-Park	101 933901 992200-0	Unencumbered Balance
	101 933890 975000 13069	Potter Moated Displ.	101 933901 992200 0	Unencumbered Balance
	101 933890 975000 13022	Turner-Dodge Devel.	101 933901 992200 0	Unencumbered Balance
	101 933890 975000 13052	Oak Park Impr.	101 933901 992200 0	Unencumbered Balance
	101 933690 974200 13071	Sidewalks	101 933901 992200 0	Unencumbered Balance
ACT 51 MAJOR STREETS FUND				
	202 453631 743700 50001	Shiawassee Bridge	202 453634 992200-0	Unencumbered Balance
	202 453601 974100 50002	Major Maint.	202 453634 992200-0	Unencumbered Balance
	202 453631 743700 50003	Elm Str. Bridge	202 453634 992200-0	Unencumbered Balance
ACT 51 LOCAL STREETS FUND				
	202 453601 974100 0	Improvements	203 453634 992200-0	Unencumbered Balance
POTTER ZOO FUND				
	509 783835 970000 0	Capital Improv.	509 783835 992200 0	Unencumbered Balance
GOLF FUND				
	584 783851 970000 0	Capital Improv.	584 783850 992200 0	Unencumbered Balance
SEWAGE FUND				
	590 453670 746200 0	Equipment Maint.	590 453670 992200 0	$12,000

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

FROM: 590 453670 746200 0	Equipment Maint.	590 453670 992200 0	$75,000
FROM: 590 453670 977008 0	Equipment Repl.	590 453670 992200 0	265,000
TO: 590 453670 746100 0	Bldg. Maint.	590 453670 992200 0	$340,000
590 453670 977000 0	Admin. Equipment	590 453670 992200 0	$65,000
590 453670 977008 0	Equipment Repl.	590 453670 992200 0	$141,500
590 453670 973000 20100	City Share-Sanitary	590 453670 992200 0	Unencumbered Balance
590 453670 973000 0	I & I Correction	590 453670 992200 0	Unencumbered Balance
590 453671 977000 0	Pump Sta. Equipment	590 453670 992200 0	$38,250

SERVICE GARAGE FUND

PUBLIC SERVICE

640 453624 746100 0	Building Maint.	640 453623 992200 0	$9,750
640 453623 977000 0	Equipment	640 453623 992200 0	$3,000
640 453623 978000 0	Vehicles/Equip.	640 453623 992200 0	$165,000

RANNEY TRUST

713 833890 970000 0	Ranney Trust Impr.	713 833890 992200 0	$3,000

BE IT FINALLY RESOLVED THAT year end encumbrances at June 30, 1993 are reappropriated and carried forward into the fiscal year beginning July 1, 1993, and that the Administration is authorized to carry forward encumbered amounts into appropriate control accounts and memo accounts reflecting Citywide reorganization as previously approved by City Council. By Councilmember Belen

To separate the carryforward designated as the Hay Report item

Carried unanimously

By Councilmember Benavides

To approve all carryforwards with the exception of the amount designated as the Hay Report item

Carried unanimously

By Councilmember Benavides

To approve the carryforward designated for the Hay Report

Adopted by the following vote:

YEAS: Councilmembers Beal, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

NAYS: Councilmember Belen

RESOLUTION #377
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of R. John Strolle to the Board of Water and Light Board for a term to expire June, 1997, is hereby confirmed.

June 28, 1993

By Councilmember Brockwell

Carried unanimously

RESOLUTION #378
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of David O'Leary to the Board of Water and Light Board for a term to expire June, 1997, is hereby confirmed.

June 28, 1993

By Councilmember Brockwell

Carried unanimously

ORDINANCES FOR INTRODUCTION

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-2-93, 6066, 6070 South Dr. Martin Luther King Jr. Blvd./Logan Street to be rezoned from "A" Residential, "F" Commercial and "J" Parking Districts to "F" Commercial District

was introduced by Councilmember Lilly, read a first and second time by its title and referred to the Committee on Physical Development.

RESOLUTION #379
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, July 19, 1993, 1993 at 7 p.m. in City

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-2 93, 6066, 6070 South Dr. Martin Luther King Jr. Blvd./Logan Street, "A" Residential, "F" Commercial and "J" Parking Districts to "F" Commercial District

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

NAYS: None

ABSENT: None

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-3-93, 3104 South Cedar Street, "D 1" Professional Office and "E-2" Local Shopping Districts to "F" Commercial District

was introduced by Councilmember Lilly, read a first and second time by its title and referred to the Committee on Physical Development.

RESOLUTION #380
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, July 19, 1993, 1993 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-3-93, 3104 South Cedar Street, "D-1" Professional Office and "E-2" Local Shopping Districts to "F" Commercial District

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

NAYS: None

ABSENT: None

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-4-93, 619 East Michigan Avenue, "H" Light Industrial District to "G-1" Business District

was introduced by Councilmember Lilly, read a first and second time by its title and referred to the Committee on Physical Development.

RESOLUTION #381
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, July 19, 1993, 1993 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-4-93, 619 East Michigan Avenue, "H" Light Industrial to "G-1" Business District

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

NAYS: None

ABSENT: None

ORDINANCES FOR PASSAGE

By Councilmember Lilly:

That we proceed to the passage of Ordinances.

By Councilmember Lilly:

That the Ordinance when read be considered as read in its entirety.

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Lilly:

Resolved by the City Council of the City of Lansing that an Ordinance; Amending Chapter 1042, Section 1042.04, of the Codified Ordinances of the City of Lansing, Michigan, for the purpose of providing for an Increase in Certain Rates and Charges for Services Furnished by the City Sewage Disposal System, be placed on order of immediate passage.

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Lilly:

Resolved by the City Council of the City of Lansing that an Ordinance; Amending Chapter 1042, Section 1042.04, of the Codified Ordinances of the City of Lansing, Michigan, for the purpose of providing for an Increase in Certain Rates and Charges for Services Furnished by the City Sewage Disposal System, be now passed.

By Councilmember Benavides

To discharge the Committee on Ways and Means from consideration of this Ordinance

Carried unanimously

By Councilmember Benavides

To amend the resolution to add the following: "Section 4. This Ordinance shall be in effect for ninety (90) days from the date of passage, at which time it shall automatically expire unless readopted by City Council."

By Councilmember Belen

To call the question on the amendment to a vote

Carried unanimously

Amendment adopted as proposed by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Lilly, Schmidt

NAYS: Councilmembers Canady, Ford

By Councilmember Lilly

To place an affirmative roll on the ordinance as amended

Adopted by the following vote:

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Schmidt

NAYS: Councilmembers Canady, Ford, Lilly

ORDINANCE NO. 863

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 1042, SECTION 1042.04, FOR THE PURPOSE OF PROVIDING FOR AN INCREASE IN CERTAIN RATES AND CHARGES FOR SERVICES FURNISHED BY THE CITY SEWAGE DISPOSAL SYSTEM.

The City of Lansing ordains:

Section 1. That Part 10, Chapter 1042.04 of the Code of Ordinances of the City of Lansing, Michigan be amended to be read as follows:

1042.04 AMOUNTS; BILLING.

(a) **Method of Charging.** The rates and charges for services furnished by the City sewage disposal system shall be levied upon each lot or parcel of land, building or premises having any sewer connection with the system, on the basis of the quantity of water used therein, as the same is measured by meters therein used, or in the absence thereof by such equitable method as shall be determined by the Director of Public Service with the approval of Council.

Such charges shall be collected at the same time and in the same manner as provided for the payment of charges for water used, except in cases where the character of the sewage from a manufacturing or industrial plant, building or premises is such that unreasonable additional burden is placed upon the system greater than that imposed by the average sewage delivered to the system plant. In such case, the additional cost of treatment created thereby shall be an additional charge over the regular rates set forth in subsection (b) hereof, or the City may, if it deems it advisable, compel such manufacturing or industrial plant, building or premises to treat such sewage in such manner as specified by the City before discharging such sewage into the sewage disposal system.

Rates for all users obtaining all or part of their water supply from sources other than the City's water system may be determined by gauging or metering the actual sewage entering the system or by metering the water used, in a manner acceptable to Council. The commodity charge for resident users shall be computed on the basis of 700 cubic feet per month per customer, where gauging or metering is not practical.

Council may classify the users of the system according to the quantity and quality of water used and charge such rates to users in each class as it may deem reasonable.

(b) **Schedule of Regular Rates.** The monthly rate to be billed for use of the system shall be as follows for all users within the sanitary sewer service area of the City, except as otherwise provided in this section:

(1) **Billing and collection charge.**

A. Except for West Side Water District customers, ONE DOLLAR AND NINETY SIX CENTS ($1.96) per customer, per month, associated with meter reading and billing expenses, shall be charged by the Board of Water and Light.

B. West Side Water District customers shall be charged actual customer costs associated with meter reading and billing per quarterly bill.

(2) **Commodity charge.** All classifications of customers shall be charged ONE DOLLAR AND FIFTY-ONE CENTS ($1.51) per 100 cubic feet of water usage.

(3) **Infiltration and inflow charge.**

A. Residential classified users shall be charged SEVENTY-NINE CENTS ($.79) per 100 cubic feet of water usage for associated infiltration and inflow cost.

B. Commercial and industrial classified users shall be charged as follows:

1. THREE DOLLARS AND FORTY-SIX CENTS ($3.46) per customer per month.

2. THIRTY CENTS ($0.30) per 100 cubic feet of water usage for associated infiltration and inflow costs.

(4) **Delayed payment charge.** A delayed payment charge of five percent of the unpaid balance, excluding delayed payment charges, shall be added to any bill not paid on or before the due date shown thereon.

(5) Extra-strength waste surcharge for BOD. Twenty-one cents ($0.21) per pound on all contributed volume in excess of 1.0 MILLION GALLONS PER DAY AND A CONCENTRATION IN EXCESS OF 300 MG/L, OR A CONTRIBUTED LOADING IN EXCESS OF 2,500 pounds per day WITH A DISCHARGE VOLUME LESS THAN 1.0 MILLION GALLONS PER DAY.

(6) **Extra-strength waste surcharge for suspended solids.** Nine cents ($0.09) per pound on all contributed volume in excess of 1.0 MILLION GALLONS PER DAY AND A CONCENTRATION IN EXCESS OF 350 MG/L, OR A CONTRIBUTED LOADING IN EXCESS OF 2,900 pounds per day WITH A DISCHARGE VOLUME LESS THAN 1.0 MILLION GALLONS PER DAY.

(7) **Service charge.** Four dollars and seventy-five cents ($4.75) per commercial and industrial classified users per month to recover the remaining allocated customer cost associated with the industrial pretreatment program (IPP).

(8) **Industrial and commercial monitoring charges:**

A. Composite sample. Two hundred twenty-six dollars ($226.00) each.

B. Grab sample. Ninety dollars ($90.00) each.

C. Laboratory analysis. Thirty-two dollars ($32.00) each.

(c) **Effective Date.** The rates set forth in this section shall be effective on July 1, 1993, except as otherwise provided. A billing covering use of the system before and after the effective date of a rate change shall be prorated, based upon the average use per day and the number of days within such billing period, at the rate then in effect.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by City Council.

Section 4. This ordinance shall be in effect for ninety (90) days from the date of passage, at which time it shall automatically expire unless readopted by City Council.

Marilynn Slade, City Clerk

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Schmidt; a letter from Dennis Nelson of 13815 Ducharme Dr., in Dewitt regarding the property at 1713 Sunset which contains the Humane Society's Pet Cemetary

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

2/ From Councilmember Ford; Application for a Cabaret License for Neo's at 3809 W. Jolly Road

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

3/ From Councilmember Beal; a request that the rules be suspended to allow Eleanor Love, from the Department of Planning and Neighborhood Development, to explain the purpose of the Ordinance Amending the Planning and Zoning Code with regard to encroachments onto the visual vista to the State Capitol

THE RULES WERE SUSPENDED AND ELEANOR LOVE EXPLAINED THE PURPOSE OF THIS AMENDMENT TO THE PLANNING AND ZONING CODE

4/ From Councilmember Lilly; a proposed amendment to Chapter 830, Section 830.03(b)(2), regarding approval of liquor license requests

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

Mr. Boyd reminded everyone that the Fourth of July is next week and the Parade will be held Saturday, July 3, 1993. The parade will be marching in the opposite direction this year because they wanted to see how it would look to have the newly renovated Capitol as a backdrop. The fireworks display will take place on Sunday, July 4, at dusk (approximately 10:15 P.M.). City Hall will be closed Monday, July 5, in observance of the holiday. Trash pickup will run one day late this week. This is summer tax time and all Comerica Banks in the State of Michigan accept property tax payments. He sent condolences to the Walter Neller family, Mr. Neller was a highly valued member of the community and he made great contributions to the City and its' people. Mayor Crawford, he said, is home ill with the flu.

COUNCILMEMBER'S COMMENTS

Councilmember Schmidt invited all interested parties to attend the Public Safety Committee meeting this Wednesday. They will take up the traffic control orders from tonight's agenda. They will also discuss the status of the ordinance prohibiting loitering in prostitution areas. She requested that the Mayor's Office check into a complaint about tall grass in the 1600 block of Pennsylvania at the old Highland Appliance store.

Councilmember Beal said the City needs a new policy on demolitions. Property owners should submit a plan of what they intend to do with the property following demolition. She said she hopes everyone had an opportunity to go see the Aids Quilt.

Councilmember Ford said that the General Services Committee is looking at reductions in the amount of petition signatures necessary to place a candidate's name on the ballot. They suggest 400-600 for an At-Large candidate and 100-150 for a Ward candidate, or, a $100.00 filing fee in lieu of petition signatures. The revisions to Rule #19 have not placed any constraints on public speaking time.

Councilmember Benavides reported a tall grass complaint in the Dr. Martin Luther King, Jr. Blvd./Logan St. area around Lindell Drop Forge and in the Holmes to Jolly Rd. area. He expressed his concern over the recent neighborhood shootings.

Council President Canady reported going to view the Aids Quilt. It was a moving experience.

Councilmember Belen said Aids affects everyone, not just one segment of society. She reported discovering a vast improvement and the addition of more restroom facilities during a recent trip to the Potter Park Zoo.

PUBLIC COMMENTS

Robert Trezise, Jr. of 834 Fred St. #11 read a letter regarding non-compliance, by apartment complex owners, with the ordinance for multi-family recycling.

Dorothy Jones of 426 W. Barnes announced the rededication ceremony for Moores Park, to be held by the Friends of Moores Park on Sunday, July 18, 1993 at 1:30 P.M. There has been $350,000 spent on improvements to the park.

Donna Collins of 225 Moores River Drive, a member of Friends of Moores Park, invited everyone interested in attending the rededication ceremony to bring a picnic lunch to the park Sunday, July 18.

Lee Shunk, Jr. of 601 Leslie St. said that the readoption of the peddler's ordinance is restricting the rights of citizens.

Paget Maynard 902 W. Shiawassee objected to the arrest of William Bernstein last week prior to the Council Meeting. Rule #19 says that signs must be displayed during the meeting to be in violation.

Tom Shields of 1118 Riley invited everyone opposed to the Sparrow Hospital overpass to attend the Physical Development Meeting this Thursday at 3:00 P.M. to protest.

William Bernstein of 420 Baker St. spoke regarding his disputes with Judge Wood, the City Attorney's Office, and the Building Department.

Lloyd Teets of 116 E. Elm St. stated that he would be submitting a position paper on Council Rule #19.

Tim Lewis of 500 S. Pine said his arrest at last week's City Council meeting was a violation of his civil rights.

Russell Greear of 3801 Walton Dr. said the City is violating the rights of its' citizenry.

Ken Vaughan of 114 Garden St. spoke regarding the wastewater treatment rate increase. This Wednesday at 1:00 P.M. Judge Stell will issue a ruling on the Early Retirement Lawsuit.

Mary Brewer of 427 W. Barnes Ave. spoke in support of the rededication ceremony for Friends of Moores Park.

Andrew Anthos, no address given, spoke regarding his efforts to light the dome of the Capitol in the colors of the American Flag on patriotic holidays. Mayor Crawford offered to write a letter to Governor Engler regarding the D.O.M.E. project.

Harold Leeman of 529 N. Francis said that he hopes the improvements at Moores Park are completed by July 19, for their rededication.

Ammahad Shekarakki of 902 W. Willow said he is concerned about the plight of the homeless, jobless, and people of the city who live with no hope for the future.

Tim Hammond of 734 W. Ionia commended Councilmembers for doing a good job on behalf of the city.

ADJOURNED 10:40 P.M.

MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, July 6, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
July 6, 1993

The City Council of the City of Lansing met in regular session at 7:05 P.M. and was called to order by President Canady

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Schmidt

CONSIDERATION OF LATE ITEMS

By Councilmember Lilly

To accept the following under suspension of the rules:

1/ From Councilmember Lilly; a request that the rules be suspended to allow representatives of Sparrow Hospital to make a presentation explaining their plans for a crosswalk over Michigan Ave.

2/ From Councilmember Ford; a letter from Attorney's on behalf of Neo's Nightclub of 3809 W. Jolly Rd.

3/ From Councilmember Benavides; a Resolution of tribute to George Mason

4/ From Councilmember Benavides; a letter to Edward W. Sparrow Hospital Association requesting that Sparrow Health System and affiliates terminate all support to Cristo Rey Community Center effective July 5, 1993

5/ From Councilmember Benavides; a letter to Sparrow Hospital Foundation resigning his membership on their Board of Directors effective July 5, 1993

6/ From Councilmember Benavides; a copy of City of Lansing Board of Ethics Opinion No. 17

7/ From Councilmember Belen; a letter from the City of Lansing Board of Ethics regarding her request for an opinion regarding conflict of interest

By Councilmember Lilly

That Council President Canady be recused from voting on the items regarding Sparrow Hospital and that the late items be accepted

Carried unanimously, Council President Canady abstaining

SPECIAL CEREMONIES

Joe Damore and Jim Crister of Sparrow Hospital made a presentation explaining the intent of their Four Point Master Plan and the history of its' development. They played a video tape with computer simulated placement of their proposed crosswalk to demonstrate how it would impact on the view of the Capitol.

SCHEDULED PUBLIC HEARINGS

A. Public Act 21-92, Potential Sale of Property at 1713 Sunset Avenue

Harold Leeman of 529 N. Francis asked for an explanation of this sale and what is going to happen to this property.

Alice Corbin of 240 E. Sherwood, Williamston said that she has buried two pets in this cemetery and wants to be assured that money from the sale of this property will be used to care for the pet cemetery for life.

Jim Ruff, of the Department of Planning and Neighborhood Development, explained that the proposal is to sell this property to remain as a pet cemetery for twenty years, or, until such time as mutual agreement is reached between the owners to change the usage.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

B. Turner-Dodge House Preservation Master Plan

Glen S. Allen, Retired Judge of the Michigan Court of Appeals, and President of the Friends of Turner Dodge introduced seven of his fellow Board Members. They are here to support the Turner Dodge proposed Master Plan.

Russell Greear of 3801 Walton Dr. spoke in support of the Master Plan.

Doug Gallimore of the Heritage Auction firm spoke in support of the Master Plan and pointed out that the houses that are targeted by the Plan will not be torn down, they will be moved.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

C. Consideration of an Amendment to Chapter 844 of the Code of Ordinances of the City of Lansing for the Purpose of Readopting Section 844.18 which Prohibits Peddling, Soliciting or Canvassing in City Parks

Lloyd Teets of 116 E. Elm opposed this amendment because of the section dealing with canvassing. He called for an amendment to that portion of the amendment.

Frank Curtis of 1137 W. Allegan opposed this amendment because, tax payers are entitled to the parks.

Alexander Bolt of 1230 Reo Rd. said that in ten years someone could misconstrue the intent of this ordinance. He asked that the word "canvassing" be dropped.

Ken Vaughan of 114 Garden asked for assurances that this amendment would not affect canvassing for political reasons. City Attorney Knot responded affirmatively.

Russell Greear of 3801 Walton said this ordinance should not be passed. Citizens have a right to the parks to do anything that they

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

want that is not immoral or illegal. He does not want City Council going up here and telling them what they can do in their own parks.

Councilmember Ford said that the Committee on General Services will not meet this Wednesday, but, will take this ordinance up at their next meeting one week from tomorrow. He asked that City Attorney Knot give an explanation of the ordinance and what it deals with.

Al Knot, City Attorney, said that this ordinance was written about ten years ago when a lot of complaints were received from families who said that businesses were solicitating sales in the parks. That is the type of canvassing this ordinance attempts to deal with, not, the collection of signatures.

Councilmember Beal asked the City Attorney if the word "canvassing" needs to be left in the ordinance? Mr. Knot responded that the word could be removed and that he hopes to address changing the terminology at the committee meeting.

PUBLIC COMMENT

The following people appeared and spoke in support of the Sparrow Hospital skywalk:

—Senia Taipale of 1752 Chester
—Venice Jolmes, Jr. 915 N. Capitol
—Greg Robison of 801 Jerome St.
—Dr. Mary Davis of 1215 E. Michigan Ave.
—Robert Kinning of 4227 Shady Hill
—Andrew Anthos, no address given
—Roger Donaldson of 4421 Devonshire,
Pres. of the Mid-Mich. American Inst. of Electricians
—Nancy Erickson,
Pres. of the Lansing Bd. of Education
—Robert Aldrich of 519 W. Kalamazoo
—Loren Nichols 6137 Marscott
—John Brady 614 W. Northrup
of the Plumbers & Pipe Fitters Local #488
—R. Marc Cory of 900 Long Blvd. #238
—Cathy Ryan of 239 Elvin Ct.
—Curtis A. Liechty, M.D. 1130 Farwood Dr., E. Lansing
—Steven Glaein, M.D. of 2061 Riverknell Dr., Okemos
—Bill Jacovac, no address given
—Tim Hammond of 734 W. Ionia
—Penny Ruff of 814 Bates St.
—Lynn Voker of 1030 Cherry Hill
—John Caulley, Exec. Dir. of the American Red Cross
—Debbie Heefner of 719 Community
—Bob Setter of 1240 Tanninger Lane, E. Lansing
—Joe DaMore, of Sparrow Hospital
—Gail Grinnell of 624 E. Holmes
—John Gaskin of 829 Lewton St.

and the following people appeared and spoke in opposition to the Sparrow Hospital skywalk:

—Ron Thelen of 3225 Holiday Dr.,
member of the City of Lansing Planning Bd.
—Ken Vaughan of 114 Garden St.
—Russell Greear of 3801 Walton Dr.
—S.F. Laeke of 374-1 E. Edgewood Blvd.
—Richard Berry of 1228 Eureka St.
—Kathy Langschwarger of 1328 Prospect
—Alexander Bolt of 1230 Reo Rd.
—Howard Jones of 426 W. Barnes
—Joseph McNeil of 1531 N. Hayford
—Lloyd Teets of 116 E. Elm St.
—Shelton Phillips, no address given
—Nancy Pless of 119 Pere Marquette
—Alice Corbin of 240 E. Sherwood, Williamston

Dan Zavadil, Attorney, no address given, spoke on behalf of Neo's request for a cabaret license.

Harold Leeman of 529 N. Francis requested that Council look into installing a traffic signal on Aurelius Rd. for people who are turning left into the river trail area. He requested that Council pull the resolution appointing Brian Jeffries to the Board of Police Commissioners. He warned anyone who is running for elected office not to accept contributions from Sparrow Hospital. He questioned Councilmember Benavides' impartiality on the issue of the Sparrow Hospital skywalk. There are two employees of the Michigan Department of Transportation that should not be able to vote on this issue tonight, and Councilmember Belen has a conflict because she sits on the Board of another hospital. Council should wait until the November election is over to vote on this.

COMMUNICATIONS AND PETITIONS

By Councilmember Benavides

That Communications and Petitions be considered as being read in full and that the proper referrals be made by President Canady

Carried unanimously

1. Michigan Tax Tribunal Appeals received from:

-Michael J. Crowley
-Victor IV Partnership
-East Michigan Corporation,
Peninsular Products Company and Bemid, Inc.
-Dykema Gossett
-Capitol Valley Investment Company
-First of America Bank-Central
-Cranbrook Manor Apartments
-Seven Oaks Corporation
-William and Maureen Brown
-Ramco-Gershenson, Inc.
-Investment East
-Louis J. Eyde Limited Family Partnership and
George F. Eyde Limited Family Partnership
-Eyde Construction Company
-Chadburne LDHA
-Village Townhouses Cooperative
-Coronado Gardens Cooperative
-Canterbury Commons LDHA
-Woodbridge Commons Cooperative
-The Morton Trust

REFERRED TO THE CITY ATTORNEY

2. Letters received regarding Sparrow Hospital Rezoning/Expansion Requests received from:

-Fran Sklapsky of 2028 Barrett
-Craig P. Clark of 4821 Duvernay Dr. #145
-Melvin T. Kent, President,
Lansing Regional Chamber of Commerce
-Margaret A. Purdy, 6292 Sunhollow Ave., Haslett

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

-Dennis Mitchell, 5680 W. Plains, Eaton Rapids
-James M. Lowder, 1301 E. Miller
-Michael L. Dow, General Aviation Building,
Capital City Airport
-Kathleen Vaive, 314 Riley Street
-Eleanor Smith, 1703 Osborn Road
-Nancy L. Smith, 1712 Bradley Ave.
-Mary L. Studley, 633 N. Dexter
-John C. Thodis, President & CEO,
Michigan Manufacturers Association
-Jackie Dorr, Outpatient Surgery Manager, Sparrow Hosp.
-Dorothy Alagna, 2319 N. Grand River Ave.
-Oliver W. Aldridge, 1508 W. Washtenaw
-Ortensia Pavona, 2315 Tulane Drive
-Connie A. Clemmons, Manager, Trauma Services,
Sparrow Hospital
-Edward T. Hacker, Hacker Realtors, 6050 W. Saginaw
-Amy Brown, 2519 Skye Road
-Gerald M. Finch, MASI, Ltd.,
4572 S. Hagadorn, East Lansing
-Judie VerMeulen, 1022 Weston Street
-William J. Curtin, 309 Ferguson Street
-Stephen R. Guertin,
Pediatric Intensive Care Unit Director, Sparrow Hospital
-Nathan Anderson, 2824 LaSalle Gardens
-Narendra R. Patel, M. D., 2208 E. Michigan Avenue
-Elgin L. Clark, 4320 Mar Moor Drive
-George R. Grambau, 2620 Libbie Drive
-Marie S. Manson, 1740 Wellington Road, Apt. 209
-Evelyn & Bob Scheffel, 4255 Mar Moor Drive
-Scott B. Osman, no address given
-Alan M. Atkinson, D.O., 1408 E. Michigan Avenue
-Scott Aeder, 238 Kenway
-W. Jeffrey Beird, Director,
Mid-Michigan MRI, 1215 E. Michigan Avenue
-Arnold Preston, 1229 Walsh
-Beth and Dave Wyatt, 1601 S. Pennsylvania
-Richard B. Foster, Jr., BanConsult, Inc., Okemos
-Ruth Ergen, 2315 Teel
-James Spitzley, 602 N. Pennsylvania, #2
-Kari Erb, 805 Seymour
-Rhonda Matlock, 934 Walnut
-Joellen Bancroft, 1834 Delevan Ave.
-Robert R. Siemon, 1317 E. Kalamazoo, Apt. 6
-Philip P. Pavona, 1398 Reef Ct., Okemos
-David A. Krause, M.D.,
Radiation Oncologist, Sparrow Hospital
-Pamela and John Irwin, 330 Southlawn, East Lansing
-Doris E. Gregory, 218 Park Meadows
-Mary Margaret Woll, President,
Eastside Neighborhood Organization
-2 unsigned letters with no addresses given

RECEIVED AND PLACED ON FILE

3. Letter from George F. Seymour of 1226 Mary Avenue regarding Wetlands and Recreational Potential; Shubel Park and Crego Park

REFERRED TO THE MAYOR AND THE PARKS BOARD

4. Position Paper Received from Lloyd Teets, 116 E. Elm Street, regarding Council Rule 19

RECEIVED AND PLACED ON FILE

5. Letter received from Diane Brewer, Festival Manager, Capital City Riverfest, in support of the reinstatement of Section 844.18 to the Code of Ordinances regarding peddling, soliciting or canvassing in parks

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

6. Letter received from Diane Brewer, Festival Manager, Capital City Riverfest, providing information regarding Riverfest, 1993

REFERRED TO THE MAYOR

7. Request for Non-Profit Status received from Michigan State Troopers Association, Inc.

REFERRED TO THE CITY ATTORNEY AND
THE COMMITTEE ON GENERAL SERVICES

MAYOR MAY COMMENT

Mayor Crawford outlined his letters on tonight's agenda

CITY OFFICER AND BOARD REPORTS

A. **RESOLUTION #382**
July 2, 1993
President Canady and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached application for license has been routinely processed and is recommended for approval. It is ready for final action by City Council.

PUBLIC DRIVER: Jeffrey W. Canlay

Sincerely,
Marilynn Slade, City Clerk
City of Lansing, MI

By Councilmember Ford

Carried unanimously

B. Letters from the Mayor re:

1/ South Side Community Center Budget Transfer

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

2/ Additional Carry Forwards

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

3/ Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

4/ Trash Violation Fee—$1,376.53.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

5/ Resolution-Seven Block Development Plan

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

6/ Public Improvement II

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

7/ Appointment of John Harrison to the Public Service Board

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

8/ Reappointment of Rick Kibby to the Public Service Board

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

9/ Appointment of Robert Busby to the Historic District Commission

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

10/ CSO Tree Report

RECEIVED AND PLACED ON FILE

COMMITTEE REPORTS

RESOLUTION #383

THE COMMITTEE ON GENERAL SERVICES, to whom was referred the proposed ordinance to amend Chapter 830, which regulates liquor licensing, by adding language to Section 830.03(b)(2) that would allow churches to waive their right to object to location of a licensed business within 500 feet of their church building,

REPORTS AS FOLLOWS: The Committee has referred this proposed ordinance to the Mayor and City Attorney for analysis and a coordinated recommendation back to the Committee. This report is for information only, and no Council action is required.

Signed: Charles Ford
Alfreda Schmidt
Robert Brockwell

July 6, 1993

BY COUNCILMEMBER FORD:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #384

The Public Safety Committee

To whom was referred the Mayor's report on a request to install multi-way stop signs at the intersection of Forest Avenue and Greenlawn Avenue, reports as follows:

The Transportation Division, Traffic Board, and Mayor recommend that the request to install multi-way stop signs at the intersection of Forest Avenue and Greenlawn Avenue be denied. The committee has reviewed the report from the administration and concurs that the request to install multi-way stop signs at the intersection of Forest Avenue and Greenlawn Avenue be denied.

Signed: Alfreda Schmidt
Tony Benavides
Charles Ford
Public Safety Committee

By Councilmember Schmidt

That the report of the Committee be adopted.

Carried unanimously

RESOLUTION #385

Z-19-92 July I, 1993
1200 Block East Michigan Avenue

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of the rezoning petition Z-19-92 1200 Block East Michigan Avenue, to be rezoned from "DM-3" Residential, "D-1" Professional Office, "F" Commercial, "F-1" Commercial, and "J" Parking Districts to "DM-4" Residential District by Sparrow Hospital for an ambulatory care facility, physicians' offices, and a multilevel parking deck.

REPORTS AS FOLLOWS: That the request for said rezoning be approved.

SIGNED: Richard Lilly
Mark H. Canady
Lucile Belen
COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Lilly:

Carried unanimously, Council President Canady abstaining

RESOLUTION #386

THE COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the proposed ordinance to amend Chapter 1020 of the Lansing Code of Ordinances for the purpose of prohibiting encroachments in the public right-of-way of streets in the Capitol Center District, which encroachments would obstruct the direct visual view of the State Capitol Building, and to declare such permanent encroachment as a nuisance per se,

REPORTS AS FOLLOWS: This ordinance creates a policy on visual encroachments of the Capitol, as called for in Point 2 of the "Four Point Plan" contained in Resolution #64, adopted by the Council on February 1, 1993. The district within which such encroachments would be prohibited is the Capitol Center District already defined in Section 1440.23(b) of the Code, making this provision consistent with restrictions on signs. The Committee recommends that the ordinance be adopted. This report is for information only, and no Council action is required.

July 6, 1993

BY COUNCILMEMBER LILLY:

That the report of the Committee be received.

Carried unanimously, Council President Canady abstaining

RESOLUTIONS

RESOLUTION #387

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Impression 5 Science Museum has requested a resolution of recognition as a non-profit organization operating in the Lansing community for the purpose of obtaining a gaming license; and

WHEREAS, the City Attorney has reported that, based on a review of the documentation submitted, the applicant qualifies as a non-profit organization;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby recognizes Impression 5 Science Museum as a non-profit organization operating in the Lansing community.

July 6, 1993

By Councilmember Ford

Carried unanimously

RESOLUTION #388

BY THE COMMITTEE ON GENERAL SERVICES

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Geri Roossien to the Human Resources Board for a term to expire June, 1997, is hereby confirmed.

July, 7, 1993

By Councilmember Ford

Carried unanimously

RESOLUTION #389
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, J. M. Productions, Inc., has applied for a new City Cabaret License for NEO's, located at 3809 West Jolly Road; and

WHEREAS, all required administrative approvals have been granted in accordance with Chapter 808 of the City Code; and

WHEREAS, the license application has been reported to this Council for final action; and

WHEREAS, the Committee on General Services requested further information from the Police Department regarding the number of calls for service and incidents involving guns in the immediate area of the applicant's business; and

WHEREAS, the Committee has been satisfied that the applicant has met all City Code requirements and will operate the business in a proper manner, and the Committee recommends approval of the license;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves a 1993-94 cabaret license for NEO's, at 3809 West Jolly Road.

July 6, 1993

By Councilmember Ford

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly

NAYS: Councilmember Schmidt

RESOLUTION #390
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 93-018, which prohibits U-turns on Aurelius Road at the intersection of Main Street.

Be It Further Resolved, the Transportation Division is requested to install a sign at the Main Street Exit ramp to direct vehicles to southbound Aurelius Road via the ramp.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #391
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 93-019, which authorizes the installation of a no parking zone on the south side of Kalamazoo Plaza, Monday through Friday, 8:00 AM to 6:00 PM.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #392
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 93-021, which authorizes the installation of a multi-way stop at the intersection of Wellesley Drive and Woodview Drive.

By Councilmember Schmidt

Carried unanimously

Item XII B-4, Appointment of Brian Jeffries to the Board of Police Commissioners, was pulled from the agenda at the request of Councilmember Schmidt, who asked that it be noted that Mr. Jeffries requested this action

RESOLUTION #393
BY THE COMMITTEE ON PUBLIC SERVICE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of John C. Morris to the Board of Electrical Examiners for a term to expire June 1997, is hereby confirmed.

July 6, 1993

By Councilmember Brockwell

Carried unanimously

RESOLUTION #394
BY THE COMMITTEE ON PUBLIC SERVICE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of Robert C. Burns to the Plumbing Board for a term to expire June 1997, is hereby confirmed.

July 6, 1993

By Councilmember Brockwell

Carried unanimously

RESOLUTION #395
BY THE COMMITTEE ON PUBLIC SERVICE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

NOW, THEREFORE, BE IT RESOLVED that the appointment of Kathy Ellement to the Capital Area Rail Council for indefinite terms or as long as she is willing to serve, is hereby confirmed.

July 6, 1993

By Councilmember Brockwell

Carried unanimously

RESOLUTION #396
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of John Ruge to the Planning

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Board for a term to expire June, 1997, is hereby confirmed.

July, 7, 1993

By Councilmember Lilly

Carried unanimously

RESOLUTION #397
P-1-92
R.E. Olds Plat, Old Diamond Reo Site
Final Preliminary and Final Plat

WHEREAS Snell Environmental Group, Inc., representing the City of Lansing, is requesting approval of the final preliminary and final plat of R.E. Olds Plat; and

WHEREAS tentative preliminary plat approval was received from the City Council on August 10, 1992; and

WHEREAS the Planning Board on June 15, 1993 reviewed and approved the final preliminary and final plat submission of R.E. Olds Plat subject to conditions; and

WHEREAS the Committee on Physical Development has reviewed the report of the Planning Board and concurs therein;

NOW THEREFORE BE IT RESOLVED that the Lansing City Council approve the final preliminary and final plat of R.E. Olds Plat subject to the following conditions:

1. That the final plat be developed with all public improvements as required by the Lansing Subdivision Regulations and the State of Michigan Plat Act.

2. That all utility easements be established and provided as needed.

3. That all requirements and modifications of public agencies involved with review and development of the site be met as directed.

4. That the street name for the cul-de-sac be cleared as appropriate.

5. That a Deed or Abstract of Title, accompanied by an attorney's opinion as to the marketability of the land, or a Certificate of Title Insurance be submitted to the City Clerk prior to the signing of the Plat and the affixing of the Municipal Seal.

BE IT FURTHER RESOLVED that the City Clerk be directed to inform the applicant of said action.

By Councilmember Lilly

Carried unanimously

RESOLUTION #398
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

ACT-8-92 July 1, 1993
SPARROW HOSPITAL

WHEREAS, the applicant has submitted a Master Land Use Concept Plan for their complex and have requested use of the air rights over Michigan Avenue for construction of a pedestrian bridge; and

WHEREAS, the Planing Board has reviewed the Concept Plan and the request to construct a pedestrian bridge over Michigan Avenue under the provisions of ACT 285 of Michigan Public Acts of 1931, as amended, and have determined that there are several concerns that should be addressed for the neighborhood and the Lansing community; and

WHEREAS, the Planning Board unanimously recommended the following:

The Board unanimously recommended that Sparrow Hospital Development Concept Plan be endorsed by the City Council with the notation of the concerns described below scheduled for the Site Coordination Committee's consideration.

a. How school children would travel from the Vine Street area to Bingham School and requiring a traffic light for pedestrian crossing at Michigan between Bingham and Holmes.

b. The impact of parking structures and large office buildings on three sides of Bingham School.

c. The impact of parking structures and the transition between hospital and residential neighborhood.

d. Traffic circulation in the area, particularly Jerome, Jones, Holmes and Michigan.

and further made the following recommendations regarding the pedestrian overpass:

The Planning Board unanimously recommended that the City Council approve the four step process for the examination of the Sparrow Hospital request to use the Michigan Avenue air rights for constructing a pedestrian overpass. The Board further recommended that once the first two steps of this process are completed, a report on this matter shall be submitted back to the Planning Board for its consideration and recommendation.

1. Documentation must be submitted to the City of Lansing in the form of a qualified professional engineering report funded by Sparrow Hospital, that the below grade tunnel option is not a reasonable alternative in terms of cost and/or construction feasibility.

2. The City shall prepare and adopt a policy prohibiting or severely restricting significant encroachments within the Capitol Center District or public rights-of way which represent major visual approaches to the State Capitol. This proposed policy shall include air rights as well as ground encroachments.

3. After the preceding conditions have been fulfilled, and prior to the issuance of any construction permits for the pedestrian bridge, the Mayor and City Council shall establish a Design Review Committee consisting of design professionals representing the City of Lansing, State of Michigan, Eastside area and Sparrow Hospital. The mission of the Committee will be to review, evaluate, and recommend a specific design for the pedestrian bridge to Sparrow Hospital which is aesthetically pleasing and minimizes the intrusion into the public right-of-way. All expenses of Committee (including salaries for the design professionals) shall be paid by Sparrow Hospital.

4. Recognizing that East Michigan Avenue represents the most significant visual approach to the State Capitol, and recognizing that if the proposed pedestrian bridge is approved and constructed it will negatively change public enjoyment of this view, then the general public should benefit in some other manner from the proposal. It is recommended that Sparrow Hospital fund a "revitalization study" for the East Michigan Avenue Corridor which will focus on establishing an agenda for public and private sector

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

improvements. The following elements shall be addressed: design improvements such as landscaping, lighting, signage, street furniture, pedestrian movement, and building facade restoration, as well as parking and traffic circulation issues. The consultant for the study shall be selected by the City of Lansing and work with the Planning Board, Sparrow Hospital, the Eastside Neighborhood Organization, and the Eastside Commercial Club. The objective of the study will be to establish specific design policies which can be practically implemented by the City of Lansing and private property owners within this critical corridor; and

WHEREAS, the City Council on February 1, 1993, voted unanimously to adopt the Four Point Plan as a strategy for evaluating the request for an overpass; and

WHEREAS, the Planning Board did not recommend approval to grant an easement for air rights over Michigan Avenue; and

WHEREAS, the Lansing City Council believes that:

1. an all weather link is necessary;

2. the physical layout of the hospital necessitates a pedestrian overpass design;

3. the proper functioning of hospital activities and services can best be achieved through provision of an overpass;

4. construction of the complex with an overpass provides the opportunity to:

a. redesign the streetscape and remove parking along Michigan Avenue;

b. establish an aesthetically pleasing anchor for eastside development in accord with the medical services node concept identified in the Northeast Area Master Plan;

c. redevelop the Sparrow Hospital complex such that it is more compatible with the surrounding neighborhoods to the south and east; and

d. reorient vehicular traffic toward Michigan Avenue and away from residential neighborhood.

5. the approval of such air rights will not and cannot be used as a precedent to further obstruct the visual vista of the Capitol in the Capitol Center District; and

6. provide major positive benefits to the entire Lansing community;

NOW, THEREFORE, BE IT RESOLVED by the Lansing City Council that an easement for air rights be granted to Sparrow Hospital in the 1200 Block of Michigan Avenue to link various functional components of the hospital complex;

BE IT FURTHER RESOLVED that the Administration be directed to prepare the documents necessary to execute this transaction;

BE IT FURTHER RESOLVED that the Administration is authorized to coordinate the establishment of a Design Review Committee consisting of representatives from the City of Lansing, State of Michigan, Eastside Area, and Sparrow Hospital as provided in point three of the Four Point Plan. The Design Review Committee will recommend a specific design for the pedestrian bridge to Sparrow Hospital within a reasonable time. Sparrow will provide the Committee with standard staff functions and pay the salary for any design professional(s) retained by Sparrow Hospital.

BE IT FINALLY RESOLVED that the Administration is further authorized to establish a Michigan Avenue Corridor Revitalization Study Committee consisting of representatives from the Lansing Planning Board, Sparrow Hospital, Eastside Neighborhood Organizations/individuals as provided in the fourth point of the Four Point Plan. The Administration is authorized to accept up to $25,000 from Sparrow Hospital to support a phased Michigan Avenue Corridor Revitalization Study, with the first phase beginning at the railroad tracks, located within the 700 block of Michigan Avenue and extending easterly to Holmes Street, in conjunction with potential federal transportation funding under ISTEA Program. The Michigan Avenue Revitalization Study Committee shall present its recommendations for Phase I prior to the initiation of construction of the pedway and no later than April 1, 1994.

BE IT FINALLY RESOLVED, the Michigan Avenue Corridor Revitalization Study Committee should, in its report, include a recommendation for boundaries and composition for a Citizen's District Council to monitor the recommendations by the Michigan Avenue Corridor Revitalization Study Committee as it relates to Sparrow Hospital.

By Councilmember Beal

To strike the word "Finally" from the first sentence of the last paragraph of the original resolution and replace it with the word "Further", and add the above paragraph to the end of the resolution

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Lilly, Ford

NAYS: Councilmember Schmidt

ABSTAIN: Council President Canady

By Councilmember Lilly

To place an affirmative roll on the resolution as amended

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Ford, Lilly

NAYS: Councilmember Schmidt

ABSTAIN: Council President Canady

RESOLUTION #399
PUBLIC IMPROVEMENT I

By the Committee on Physical Development

RESOLVED, by the City Council of the City of Lansing:

that it is hereby determined to be of a public necessity to construct curb and gutter and the necessary storm drainage facilities to serve properties on Richard Road from Fisher to Dadson according to the petition (see valid petition attached) signed by 60% of the benefitted owners and by owners of 67% of the benefitted frontage lots.

AND FURTHER, that the cost of these improvements shall be financed by special assessment to the benefitted property owners, and that the City's share be funded using source accounts #: 203-453601-974100-50004.

BE IT FURTHER RESOLVED, that the Department of Public

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Service is hereby authorized to acquire the necessary permanent easements and right of way and to prepare necessary plans and specifications for these improvements, and to establish in detail the cost of said project and to furnish said information to the Mayor and City Council.

By Councilmember Lilly

Carried unanimously

Resolution #400

WHEREAS, The Administration has recommended a policy to address the issue of extraordinary parking charges for the purpose of distribution to special event sponsors; and

WHEREAS, the recommended policy has been reviewed by the Ways and Means Committee ; and

WHEREAS, the Ways and Means Committee recommends adoption of the recommended policy;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby adopts the following policy:

1. That the Lansing Municipal Parking System may support festivals and special events in downtown Lansing by charging for parking between 6:00 A.M. and 9:00 P.M. on weekends and holidays, and to assist with and control parking demands during periods of time when parking is usually free; and

2. That a $3.00 per entry parking fee may be charged during these periods to all parkers except monthly permit holders and those who are reporting to work for Michigan Bell, the Board of Water and Light or the Lansing Police Department; and

3. That Municipal Parking System employees will operate the parking facilities during these periods; and

4. That all operating costs will be recovered by the Municipal Parking System to include employee fringe benefits; and

5. That the funds remaining after cost recovery be awarded to the agency sponsoring the festival or special event (Capital City Riverfest); and

6. That the specific facilities covered by this policy shall be the North and South Capitol Parking Garages, North and South Grand Parking Garages, the Lansing Center parking lot, and Cedar Larch corridor; and

7. That liability coverage shall be provided by sponsoring organizations as reviewed by the City Attorney and filed with the City Clerk; and

8. That the types of organizations and/or events covered by this policy shall be non-profit organizations who's primary purpose is to conduct a public festival(s) which provides publicity for the community through the promotion and offering of recreation, entertainment, enrichment and cultural activities with the anticipation that said festival(s) shall require parking garages and lots; and

9. That approval for the implementation of this policy may be provided only by City Council upon the recommendation by the Mayor for specific festival(s) or special events.

By Councilmember Benavides

Carried unanimously, Council President Canady absent for the vote on this item

RESOLUTION #401

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on June 24, 1993, local developer Walter W. Neller passed away at the age of 89; and

WHEREAS, during his real estate career covering more than 60 years, Walter Neller created several prominent subdivisions in Lansing including Cedarbrook, Colonial Village and Country Club Park; and

WHEREAS, a lifelong member of Central United Methodist Church, Mr. Neller was an active leader in many social and civic organizations including the Lions Club, United Way, the YMCA, the Downtown Merchants Association, the Greater Lansing Board of Realtors and the National Home Builders Association; and

WHEREAS, thousands of Lansing residents are indebted to Walter Neller literally for the roofs over their heads and for his contributions of time, energy and skills to the quality of life in our community;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 6th day of July, 1993, hereby commends the life and outstanding accomplishments of Walter W. Neller; and

BE IT FURTHER RESOLVED on behalf of the People of Lansing, this Council expresses heartfelt sympathy to his wife Frances Neller and her family.

By Councilmember Benavides

Carried unanimously, Council President Canady absent for the vote on this item

RESOLUTION #402

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, July 26, 1993 at 7 p.m. for the purpose of opposing and/or approving the proposed Special Land Use permit, SLU-2-92, by South Baptist Church on property located at 1518 South Washington Avenue, for parking expansion.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Ford, Lilly, Schmidt

NAYS: None

ABSENT: Council President Canady

RESOLUTION #403

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, July 26, 1993 at 7 p.m. for the purpose of opposing and/or approving the proposed Special Land Use permit, SLU-4-93, by Douglas F. Wacker, MD, on property located at 121 Ferguson Street, for a surface parking lot.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Ford, Lilly, Schmidt

NAYS: None

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

ABSENT: Council President Canady

RESOLUTION #404
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, July 26, 1993 at 7 p.m. for the purpose of opposing and/or approving the proposed Special Land Use permit, SLU-7-93, by Rev. Jeffrey Pokone, on property located at 1017 East Oakland Avenue, for a Residential Care Facility for seven men.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Ford, Lilly, Schmidt

NAYS: None

ABSENT: Council President Canady

RESOLUTION #405
BY COUNCILMEMBER TONY BENAVIDES

WHEREAS, on July 7, 1933, George Edward Mason was born to Paul and Lelah Mason in Riga, Michigan. Born a quadriplegic, George Edward Mason began the upward climb of life; and

WHEREAS, refusing to attend special schools or be treated differently due to his handicap, George made his way through public schools. He earned his Bachelor's Degree in 1956 from the University of Michigan and received his Law Degree in 1960; and

WHEREAS, in 1961, he became an Assistant Attorney General and worked in the Criminal Justice Division and Office of Criminal Justice; and

WHEREAS, serving on numerous boards and committees, George has worked diligently in the fight for handicapper's rights. He also became directly involved in working to create curb cuts throughout different locations within the streets of the City of Lansing. He is presently the Chairperson on the Michigan Association of Cerebral Palsy and in the Nominating Committee of the National Cerebral Palsy in Washington D.C.; and

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session on this 6th day of July, 1993, hereby commends George Edward Mason for still going strong at age 60; and

BE IT FURTHER RESOLVED, the City Council considers George as a prime example of how one person can make the most of their life. Happy Birthday George!

VIVA LA CAUSA!

July 6, 1993

By Councilmember Benavides

Carried unanimously, Councilmembers Canady and Lilly absent for the vote on this item

ORDINANCES FOR INTRODUCTION

There are no Ordinances for Introduction

ORDINANCES FOR PASSAGE

By Councilmember Lilly:

That we proceed to the passage of Ordinances.

By Councilmember Lilly:

That the Ordinance when read be considered as read in its entirety.

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Lilly:

Resolved by the City Council of the City of Lansing that an Ordinance to Amend Part 10, Chapter 1020 of the Codified Ordinances of the City of Lansing, Michigan by adding section 1020.13 for the purpose of prohibiting encroachments in the public right-of-way of streets in the Capitol Center District which encroachments would obstruct the direct visual view of the State Capitol Building and to declare such permanent encroachment as a nuisance per se be placed on order of immediate passage.

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Lilly:

Resolved by the City Council of the City of Lansing that an Ordinance to Amend Part 10, Chapter 1020 of the Codified Ordinances of the City of Lansing, Michigan by adding section 1020.13 for the purpose of prohibiting encroachments in the public right-of-way of streets in the Capitol Center District which encroachments would obstruct the direct visual view of the State Capitol Building and to declare such permanent encroachment as a nuisance per se be now passed.

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Ford, Lilly, Schmidt

NAYS: None

ABSENT: Council President Canady

ORDINANCE NO. 864

AN ORDINANCE TO AMEND PART 10, CHAPTER 1020 OF THE CODIFIED ORDINANCES OF THE CITY OF LANSING, MICHIGAN BY ADDING SECTION 1020.13 FOR THE PURPOSE OF PROHIBITING ENCROACHMENTS IN THE PUBLIC RIGHT-OF-WAY OF STREETS IN THE CAPITOL CENTER DISTRICT WHICH ENCROACHMENTS WOULD OBSTRUCT THE DIRECT VISUAL VIEW OF THE STATE CAPITOL BUILDING AND TO DECLARE SUCH PERMANENT ENCROACHMENT AS A NUISANCE PER SE.

THE CITY OF LANSING ORDAINS:

Section 1. That the Codified Ordinances of the City of Lansing, Michigan, be amended by adding a new Section 1020.13 which reads as follows:

1020.13 **INTENT.**

THE PURPOSE OF THIS SECTION IS TO PROHIBIT THE CONSTRUCTION AND/OR PLACEMENT OF PERMANENT ENCROACHMENTS INTO THE PUBLIC RIGHT-OF-WAY ALONG PUBLIC STREETS HAVING A DIRECT VISUAL VIEW OF THE STATE CAPITOL BUILDING WHICH STREETS ARE WITHIN THE CAPITOL CENTER DISTRICT.

1020.13(A) **DEFINITIONS.**

(1) "CAPITOL CENTER DISTRICT" IS DEFINED IN CHAPTER 14, SECTION 1440.23 (b) OF THE BUILDING AND HOUSING CODE.

(2) "ENCROACHMENT" INCLUDES ANY PERMANENT BUILDING, STRUCTURE, APPURTENANCE, OR OTHER PHYSICAL ENTITY WHICH MAY OBSTRUCT THE VISUAL VIEW WITHIN THE STREET RIGHT-OF-WAY INCLUDING GROUND AND/OR AIR SPACE OBSTRUCTIONS EXCEPT THAT ENCROACHMENT SHALL NOT MEAN EXISTING TELEPHONE, TRAFFIC, STREET

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

TREES AND/OR UTILITY POLES.

1020.13(B) **PUBLIC STREET; DIRECT VISUAL VIEW OF CAPITOL.**

THOSE PUBLIC STREETS WHICH A PEDESTRIAN OR MOTORIST WOULD HAVE A DIRECT VISUAL VIEW OF THE STATE CAPITOL BUILDING WHICH ARE WITHIN THE CAPITOL CENTER DISTRICT ARE EAST MICHIGAN AVENUE, TOWNSEND STREET AND SEYMOUR STREET.

1020.13(C) **ENFORCEMENT; NUISANCE ABATEMENT.**

IF A PERMANENT ENCROACHMENT IS CONSTRUCTED OR PLACED IN THE PUBLIC RIGHT-OF-WAY OF STREETS WHICH ARE WITHIN THE CAPITOL CENTER DISTRICT, AND WHICH HAVE A DIRECT VISUAL VIEW OF THE STATE CAPITOL BUILDING THE PERMANENT ENCROACHMENT IS HEREBY DECLARED TO BE A NUISANCE PER SE AND THE CITY MAY ENJOIN OR ABATE ANY VIOLATIONS OF THIS SECTION BY THE APPROPRIATE ACTION.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by City Council.

MARILYNN SLADE, CITY CLERK

BY COUNCILMEMBER LILLY:

That we move to passage of ordinances.

BY COUNCILMEMBER LILLY:

That Ordinances, when read, be considered as being read in their entirety.

BY COUNCILMEMBER LILLY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-19-92, Block 1, Green St. Addition, be placed on order of immediate passage.

BY COUNCILMEMBER LILLY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-19-92, Block 1, Green St. Addition, be now passed.

YEAS: councilmembers Beal, Belen, Benavides, Brockwell, Ford, Lilly, Schmidt

NAYS: None

ABSENT: Council President Canady

ORDINANCE #2358

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the dlistrict maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-19-92

Parcel Number: 3301-15-328-010

Legal Description: Block 1, Green Street Addlition except the north 99 feet of Lot 1; also that part of the vacated portion of Holmes Street 8.25 feetwide, lying east of the south 66 feet of Lot 1 and lying east of Lots 7, 9, and 11, City of Lansing, Ingham County Michigan From "DM-3" Residential, "D-1" Profsssional Office, "F" Lommercial, "F-1" Commercial, and "J" Parking Districts to "DM-4" Residential District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immedliate effect by the City Council.

MARILYNN SLADE, CITY CLERK

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Lilly; a request that the rules be suspended to allow representatives of Sparrow Hospital to make a presentation explaining their plans for a crosswalk over Michigan Ave.

THE RULES WERE SUSPENDED AND REPRESENTATIVES OF SPARROW HOSPITAL MADE A PRESENTATION REGARDING THEIR MASTER PLAN DURING THE SPECIAL CEREMONIES PORTION OF THE AGENDA

2/ From Councilmember Ford; a letter from Attorney's on behalf of Neo's Nightclub of 3809 W. Jolly Rd.

RECEIVED AND PLACED ON FILE

3/ From Councilmember Benavides; a Resolution of tribute to George Mason

HANDLED AS RESOLUTION #405

4/ From Councilmember Benavides; a letter to Edward W. Sparrow Hospital Association requesting that Sparrow Health System and affiliates terminate all support to Cristo Rey Community Center effective July 5, 1993

RECEIVED AND PLACED ON FILE

5/ From Councilmember Benavides; a letter to Sparrow Hospital Foundation resigning his membership on their Board of Directors effective July 5, 1993

RECEIVED AND PLACED ON FILE

6/ From Councilmember Benavides; a copy of City of Lansing Board of Ethics Opinion No. 17

RECEIVED AND PLACED ON FILE

7/ From Councilmember Belen; a letter from the City of Lansing Board of Ethics regarding her request for an opinion regarding conflict of interest

RECEIVED AND PLACED ON FILE

MAYOR'S COMMENTS

Mayor Crawford reminded everyone that trash pickup will be one day late this week because of the holiday.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

REMARKS BY COUNCILMEMBERS

Councilmember Beal requested that a fan be made available for the Ward Councilmembers at the dais.

Councilmember Schmidt thanked the administration and everyone who worked on the plans for the July 4th Parade. There was a special spirit about this year's parade.

CITIZEN COMMENT ON CITY MATTERS

Richard Cook of 310 Seymour said that the Senior Citizens Center located in the Civic Arena needs volunteer help. They used to offer activities 4 days per week, now they are cut down to 2 days. One volunteer can help these low income senior citizens. He thanked Councilmember Ford for the financial contribution he made to the residents of Oliver Towers that allowed them to dine at the Old Country Buffet.

Richard Berry of 1228 Eureka asked if Councilmember Benavides' resignation from the Sparrow Hospital Board is forever, or, can he reassociate himself with them when he wants to?

Kevin Barrett of 320 Regent commended Officer Dishaw for his contribution to their Neighborhood Watch Program. He asked for a commitment within 30 days as to street repair on Regent St. Mayor Crawford said that he would follow up on this request with the Public Service Department.

Ken Vaughan of 114 Garden St. accused Councilmember Benavides of resigning his membership of the Board of Sparrow Hospital just so he could vote on this issue tonight. He asked what kind of jobs this expansion will create at the hospital.

Russell Greear of 3801 Walton Blvd. asked if the jobs that will be created at Sparrow will go to residents of the City. The Council is destroying the city by going up here and tearing down the pornographic businesses on Michigan Ave. and installing parking lots in their place.

Paul Scott of 412 W. Kilborn urged Mayor Crawford, City Council, and the Planning Board to codify the process used to approve air rights over Michigan Ave. for Sparrow Hospital, in order to insure that other pedway projects in the future must go through the same steps.

Lloyd Teets of 116 E. Elm St. complained that Council refused to allow him to display a newspaper headline a couple of weeks ago, but they approved a fourteen minute presentation, including viewing of a video tape, by Sparrow Hospital. This is a blatant act of discrimination and he will not tolerate discrimination by this city. He demanded that the public be given an accounting of the money spent on outside legal counsel for the early retirement law suit. Councilmember Ford noted that the new provisions of Rule #19 allow the Council President to give permission for presentations to be made.

Russell Terry of 221 E. Mt. Hope refused to sign in. If Council does not have to obey the rules, he will not do so either.

Harold Leeman of 529 N. Francis asked the City Attorney if he is satisfied that Councilmember Benavides' actions in resigning from Sparrow Hospital are appropriate, and, is he satisfied that no conflict exists. Mr. Knot stated that the only way Councilmember Benavides could not be in conflict was to sever his relationships with Sparrow Hospital. His actions dealt with both of the problems identified by the City of Lansing Board of Ethics. Mr. Leeman announced that July 12, 1993 Judge Stell will rule on the early retirement issue.

ADJOURNMENT 12:00 A.M.

MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, July 12, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
July 12, 1993

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Canady

PRESENT: Councilmembers Belen, Benavides, Brockwell, Canady, Lilly, Schmidt

ABSENT: Councilmembers Beal, Ford

The Invocation and Pledge of Allegiance were led by Councilmember Lilly

CONSIDERATION OF LATE ITEMS

By Councilmember Belen

To accept the following under suspension of the rules:

1/ From Councilmember Belen; a request for Non-Profit status from Michigan Women's Studies Assoc.

2/ From Councilmember Brockwell; a request that the rules be suspended to allow residents of the 1200 Block of Eureka St. to make a presentation during Special Ceremonies

3/ From Councilmember Benavides; a Committee Report regarding a Change of Intent for the purchase of equipment

4/ From Councilmember Benavides; a Resolution for Transfer of Funds

Carried unanimously

SPECIAL CEREMONIES

A. Mary James, President of the Lansing Neighborhood Council presented certificates honoring the participants of Paint Blitz 1993, to the team captains of the project. This is the 5th annual Paint Blitz. Over 300 volunteers painted 21 houses this year.

B. Leah Mink of 1208 Eureka read the following letter into the record:

TO: Members of the Lansing City Council.

FROM: Residents of the 1200 block of Eureka St. and adjacent neighborhoods.

RE: Rezoning for Sparrow Hospital expansion.

Last Tuesday, July 6th, the Lansing City Council approved the rezoning request that will allow Sparrow Hospital to build a 5 story parking ramp one block long on Eureka Street adjacent to our neighborhood and to the Bingham St. Elementary School which many of our children attend.

The residents of Eureka St. and the adjacent neighborhood strongly object to this rezoning. We feel strongly that the parking ramp will lead to the degradation of our neighborhood, increase hospital traffic in our area, and endanger the safety of our children.

We are NOT concerned here tonight with the skywalk or pedwalk over Michigan Avenue, about which we have heard a long and heated debate. Our major concern tonight is the proposed hospital expansion south of Michigan Ave. that will bring a high traffic, high use area directly into our residential neighborhood.

We therefore come before the Council tonight to request that:

1. City Council reconsider the rezoning ordinance for the south half of the block bounded by Michigan Ave., Holmes, Eureka, and Jones Sts.

2. Specifically, we ask the Council to revise their approval of Sparrow Hospital's plans to build a 5-story parking ramp facing the 1200 block of Eureka St

We are not attempting to stand in the way of the Sparrow Hospital expansion. We ***are*** attempting to safeguard our neighborhood. We feel that the debate concerning Sparrow Hospital's Expansion focused almost exclusively on the proposed skywalk over Michigan Ave. Other aspects of rezoning did not receive sufficient discussion and careful consideration by the Council and the public.

Further, the debate has been very unequal: The residents of the East Side do not have the full-time team of P-R people that Sparrow can employ, nor do we have the financial resources to make fancy videos. At the very least we deserve equal time before the Council to make our concerns heard

Our Concerns:

1. Sparrow Hospital plans to tear down the existing South Annex building that faces onto the 1200 block of Eureka Street and replace it with a 5-story parking structure.

2. The parking structure will directly encroach on a residential neighborhood — a neighborhood that is stable and well maintained. All of the homes on this block are owner occupied. Three of the families have lived there for 25 years or more. All of the families have invested heavily of their time and resources to make their homes and the neighborhood pleasant and safe.

3. The encroachment of a 500-750 car parking ramp will have a strong, negative impact on the quality and safety of our neighborhood. In addition to the visible eye-sore such a structure will present, we anticipate:

—criminal and nuisance activity in the parking structure;
—a high volume of traffic and traffic noise at shift change;
—car alarms going off 24 hours a day;
—light polution from the high intensity security lights necessary in such a structure.

4. The parking structure will also directly abut the Bingham St. Elementary School across Jones St. to the west. Jones, Eureka, and Holmes Sts. are all major routes for children walking to and from school. Increased traffic on these streets will be a safety hazard for young children. These are residential streets, they are not designed to handle business traffic.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

We have talked with people who live ajaacent to some of the major parking structures in town, and their experiences confirm our worst fears. Residents who live next to the multi-color parking ramp in East Lansing told of:

—drug use, vandalism. and fights in the ramp adjacent to their homes;
—car alarms going off 24 hours a day; and
—eggs and other objects thrown at them from on top of the ramp while working in their yards.

Conditions near the staff parking lot at St. Lawrence Hospital sound just as bad. There, associates can request an escort to their car after dark, because the parking ramp area is considered so unsafe to walk in.

This is NOT what we want for our neighborhood and it is not what we want for our children as they walk to school. And I repeat, we are not opposed to Sparrow's expansion; we ***are*** opposed to poorly planned expansion that degrades adjacent neighborhoods.

The Planning Board expressed several concerns about the Sparrow Hospital master plan. A primary one was the proposed skywalk. But other major concerns were also raised by this panel of experts, and those are the concerns we share:

1. the impact of parking structures and large office buildings on three sides of Bingham School;

2. the impact of parking structures encroaching into residential areas;

3. traffic circulation in the area.

The Planning Board argued that a more gradual transition. or a buffer area between Sparrow Hospital and adjacent residential and school neighborhoods was needed.

Last Tuesday night, the City Council chose to ignore our concerns and those of the Planning Board. After a heavy-handed and relentless propaganda campaign on the part of Sparrow Hospital, the Council voted in favor of sacrificing our residential neighborhood to the jobs that this 80 million-dollar expansion will create. In doing so, the Council is in grave danger of creating a community where yes, there are jobs and people can work, but where no one wants to live.

We contend that with a little creativity and flexibility, community growth and neighborhood quality are not incompatible goals.

The Council has voted to give Sparrow Hospital its beloved Skywalk. In doing so, the Council asked the residents of Lansing and of the entire state of Michigan to give up something of great value: the historic view of the capitol building. You have asked the people to be flexible in their thinking and generous in giving up their attachments to an historic view.

It is time for Sparrow Hospital to follow the generous example set by the people of Lansing .. it is time for Sparrow Hospital to prove that it truly ***can*** be the good neighbor that it claims to be. That it does, in fact, respect the rights of neighboring residents.

We therefore ask that Sparrow Hospital reconsider their plans to build a 5-story parking structure in a residential area and school zone, and that the Council reconsider their approval of the rezoning permits for this portion of the planned construction.

We argue, first, that Eureka St. is not the only feasible location for a parking ramp. When the overall expansion plan was first presented to neighbors, a number of alternative locations for the parking ramp were suggested as possible ***by Sparrow planners***. Two weeks later, when the plan was presented to City Council, the Eureka St. location had somehow became entrenched in the plan. What happened to those alternative locations? Why did they not receive further consideration?

Sparrow has rejected possible locations on Michigan Ave. for two reasons. First, Sparrow did not want to contribute to the "concrete jungle" image of Michigan Avenue. ***So you're telling us that it is preferable to push that concrete jungle into a residential neighborhood?***

Sparrow's second argument regarded traffic flow, that traffic entering or leaving a parking ramp located on Michigan Avenue would impede the flow of traffic along that major traffic artery. I find this argument unconvincing. I am not an urban planner, but I can look around this city and note several other major parking structures located on major streets. With the proper entrance and exit lanes, these ramps function just fine.

In contrast, our residential streets are not equipped to handle that traffic. And traffic ***will*** increase on Eureka and Holmes St.—we already see a high volume of hospital and Annex related traffic on these streets, from people cutting around the block to get back to Pennsylvania or Kalamazoo.

Second, we argue that some other component of the larger expansion plan could be substituted for the parking ramp in the Eureka St. location. The Planning Board urged that a greater buffer was needed between the high-use, high-traffic hospital and outpatient facilities and the adjacent school and residential areas. The residents of the neighborhood feel that there are several other components of the long-term Sparrow Hospital expansion plan that could provide such a buffer.

1. The existing South Annex building could be left in place and used as offices or as part of their Continuing Education facility. The building is in good shape, it is reasonably attractive for an office building, and leaving it in place would shield neighbors at least somewhat from construction activities along Michigan Avenue.

2. At one time, there was talk of a Ronald McDonald house, that would have a residential appearance and relatively low volume of traffic. Such a facility could provide a perfect buffer for our noighborhood and school.

3. Alternatively, after all the concrete, re-rod, and brick that Sparrow is contributing to the City, perhaps they owe us a little green-space as well. What about a park-like area for the use of associates and visitors, with shrubbery, flowers, and park benches—perhaps even artwork or a fountain—where associates could catch a breath of fresh air and stretch their legs?

Last week, Dr. Guertin eloquently spoke of the beauties of Minneapolis-St. Paul urban area. But the attractions of the Twin Cities are more than just architecture and skywalks: they include well planned downtown areas where people can congregate and relax. These attractions include walkways closed to vehicle traffic, parks along major thoroughfares, and sculpture gardens. It is a city where professionals choose to ***live*** as well as work.

By approving the rezoning permit for this parking structure, the Council is asking the residents of this block to do something that none of you nor any of the Sparrow planners would willingly

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

acquiesce to: live adjacent to a 5-story parking structure. This is not an environment you would choose to come home to, and it is not an environment *we* would choose to come home to, nor is it an environment we would choose to raise our children in.

The City Council has a responsibility to defend the interests of all residents of this city. Therefore, the residents of Eureka street ask you and Sparrow Hospital both to move the parking structure somewhere else, such as to a location on Michigan Ave., where it would not directly encroach on a residential or school zone.

I firmly believe that with all the creative intelligence in this community. that a solution acceptable to all of us *can* be found.

CITY COUNCIL AND SPARROW HOSPITAL *CAN* COME UP WITH A BETTER PLAN—ONE THAT WILL PERMIT COMMUNITY GROWTH BUT SAFEGUARD OUR CHILDREN AND OUR NEIGHBORHOOD.

Thank you for your attention.

SCHEDULED PUBLIC HEARINGS

There are no Scheduled Public Hearings

PUBLIC COMMENT

Russell Greear of 3801 Walton spoke in opposition to the resolution placing "Proposition A" on the November 1993 ballot, saying, "the people have the right to go up here and get their names on the ballot too."

Lloyd Teets of 116 E. Elm spoke regarding non-action items and was cautioned by President Canady to restrict his comments to items on tonight's agenda scheduled for action. Mr. Teets refused to restrict his comments. President Canady declared Mr. Teets to be out of order and asked him to take his seat. Mr. Teets refused to leave the podium. President Canady asked the Sergeant at Arms to escort Mr. Teets from Chambers. Mr. Teets insisted that he be arrested, if, he was to be ejected from Chambers.

Diane Clark of 921 W. Lenawee, Chairperson of the Seven Block Citizen District Council thanked all of the members who worked to develop the plan that Council is considering. This was not an easy plan to develop, there was a lot of controversy involved. Hopefully, everyone understands that they left no stone un-turned in their deliberation. She urged Council to adopt the plan.

Harold Leeman of 529 N. Francis asked for discussion of the Seven Block Development Plan tonight. He feels that Council is making a mistake in setting the Public Hearing in consideration of the plan for July 26, 1993, which is the date of their outdoor meeting. He supports the charter amendment proposed in "Proposition A".

COMMUNICATIONS AND PETITIONS

By Councilmember Benavides

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Canady

Carried unanimously

A. Notice from the Michigan Public Service Commission of a Public Hearing for the Electric Customers of Consumers Power Co. to be held July 16, 1993 at 9:00 A.M.

RECEIVED AND PLACED ON FILE

B. Letter from the National Association of Retired Federal Employees regarding the Contract for the Sale of the Lansing Arena

REFERRED TO THE MAYOR

C. Notice from the Department of Natural Resources of a permit for Sewerage System Construction, issued to the Capital Region Airport Authority

REFERRED TO THE MAYOR

D. SLU-09-93, 5400 Block of S. Waverly Rd. Special Land Use petition filed by Arnold L. Rinvelt and Mary L. Ettinger to allow for development of a manufactured housing community

REFERRED TO THE MAYOR AND THE PLANNING BOARD

E. Z-06-93, 5400 Block of S. Waverly Rd., Rezoning petition filed by Arnold L. Rinvelt and Mary L. Ettinger to allow for development of a manufactured housing community

REFERRED TO THE MAYOR AND THE PLANNING BOARD

F. Z-07-93, 913, 915, 917, 921 W. Allegan, Rezoning petition filed by Charles Wrigley of 5349 Sleight Rd., Bath, to allow for development of a professional office building

REFERRED TO THE MAYOR AND THE PLANNING BOARD

G. Z-08-93, 927, 1001, & 1007 W. Allegan St., Rezoning petition filed by Charles Wrigley of 5349 Sleight Rd., Bath to allow for development of a professional office building

REFERRED TO THE MAYOR AND THE PLANNING BOARD

H. SLU-10-93, 501 W. Saginaw St., Special Land Use petition filed by Trinity Lutheran Church to allow them to develop a Christian Child Care Center

REFERRED TO THE MAYOR AND THE PLANNING BOARD

I. Michigan Tax Tribunal Appeals filed on behalf of:

-Heart of the City Associates
-Cedar Lodging, Inc.

REFERRED TO THE CITY ATTORNEY

J. Michigan Tax Tribunal Motion to transfer to Small Claims Division for Robart Associates Ltd.

REFERRED TO THE CITY ATTORNEY

K. Request from accounting, firm that they be allowed to submit bids on the City s next audit

REFERRED TO THE MAYOR

L. Letter from Harold Leeman of 529 N. Francis requesting that the resolution approving ACT-08-92, Air Rights over Michigan Ave., be reconsidered

RECEIVED AND PLACED ON FILE

M. Letters in support of the Sparrow Hospital Master Plan received from the following:

—J.D. Talbott, D.O.
—Pat Ciambella
—Bruce H. Drukker, M.D.
—Connie J. Callum of 5866 Shadow Lawn, E. Lansing
—Nancy Ernest of 15085 Cutler Rd., Portland
—Rolland E. Bethards, M.D.
—Barbara J. Stamm of 2400 Concord Rd.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

—Therese M. Waters, P.T. of 4182 Naubinway Rd., Okemos
—Jane Murdock of 3775 Vermontville Hwy., Potterville
—Marjorie A. Wellington, no address given

RECEIVED AND PLACED ON FILE

N. Letter in opposition to the skywalk proposed by Sparrow Hospital from Hilda Patricia Curran of 415 McPherson

RECEIVED AND PLACED ON FILE

MAYOR MAY COMMENT

Mayor Crawford outlined his letters on tonight's agenda. He thanked Cleo Cippichio for his many years of volunteer service on City Boards. He has been a great public servant.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. **RESOLUTION #406**
July 12, 1993
President Canady and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

ICE CREAM PEDDLER: Polar Bear Ice Cream, The Ice Cream Lady, Happy Days
PEDDLERS: Andre M. Akram, Gina E. Belfiori, Jeanne Eugene, Belinda G. Wilce
PUBLIC DRIVER: Paul E. Cassel, Robert J. Bute, Johathan P. Rinehart
POOL ROOM/BOWLING ALLEY: Tripper's Inc., El Azteco
VEHICLE FOR HIRE: Varsity Mobil, L & L Mobil, O'Donnell's Repair, Jerry's Automotive, Salvage Yard, Shroyer's, Jack's Automotive Center, K.C. Towing

Sincerely,
Marilynn Slade, City Clerk
City of Lansing, MI

By Councilmember Benavides

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of June 28, and July 6, 1993 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the City Attorney re MTT appeals received from:

—Ramco-Gershenson, Inc.
—Louis J. Eyde Limited Family Partnership
—Cedar Lodging, Inc.
—Capitol Valley Improvement Co.
—Ferris Park Towers

RECEIVED AND PLACED ON FILE

D. Letters from the Mayor re:

1/ Resignation of Cleo Cipicchio from the Public Service Board

RECEIVED AND PLACED ON FILE

2/ Resignation of Cleo Cipicchio from the Recycling Committee

RECEIVED AND PLACED ON FILE

3/ Reappointment of James Person to the Traffic Board

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

4/ Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

5/ Blighted District Ordinance

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

6/ Change of Intent

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

RESOLUTION #407
THE COMMITTEE ON WAYS AND MEANS TO WHOM WAS REFERRED the matter of the approval of the Seven Block Area Development Plan

REPORTS AS FOLLOWS:

That the Committee has carefully reviewed the various elements of the Seven Block Area Development Plan and wishes to make certain clarifications and/or alterations in the language of the Plan to be in keeping with good financial management practices and to assure that the programmatic and financial commitments of the Plan can and will be attainable. The Committee is desirous of accomplishing these goals by making the following changes prior to the adoption of the ordinance concerning the Seven Block Area Development Plan.

(p. 43) "The Citizens' District Council believes an administrative budget is necessary."

Clarification: Some Community Development funding is set aside for support of various Community Development committees, including staff time; however, no budget should be provided for general use of this or any CDC. Remove funding from budget.

(p. 44) Develop criteria for the selection of contractors.

Clarification: The contractors referred to in this item are nonprofit housing or profit corporations. This should be so stated for clarity.

(p. 45) "Assure that all rehabilitation loans have same rate of interest regardless of income of property owner."

Clarification: The City cannot assure this. The provision should be dropped.

(p. 46) "Assure that home owners and landlords who do not want to participate will be bought out and relocated."

Clarification: The City cannot assure this. It would substantially alter the budget beyond the financial capability of the City. The provision must be dropped.

(p. 46) "Establish a performance bond pool for contractors."

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Clarification: "To the extent this is feasible and legal according to the Attorney's Office" should be added for clarity.

The Committee therefore recommends that the Lansing City Council adopt these changes in the Seven Block Area Development Plan as outlined above prior to its adoption as an ordinance.

SIGNED: TONY BENAVIDES
Robert Brockwell
Alfreda Schmidt
COMMITTEE ON WAYS AND MEANS

By Councilmember Benavides:

That the report of Committee be approved.

Carried unanimously

July 12, 1993

RESOLUTION #408

THE COMMITTEE ON WAYS AND MEANS to whom was referred the matter of a need to replace air conditioning units at #9 Fire Station and the Police Radio Lab due to failure of the existing units,

REPORTS AS FOLLOWS: Due to age and condition, repair of these air conditioning units is no longer feasible or cost effective. The cost of replacement for these units was not anticipated during budget development, and at a cost of $1,401 exceeds administrative authority under Council's Budget Monitoring resolution. The current heat wave creates uncomfortable working conditions for City personnel, with these air conditioning units in inoperable condition. Additional funding was included in the FY 94 Budget to begin to redress maintenance needs in City buildings, within the Public Service Departments Unscheduled Maintenance Account.

As the replacement of these air conditioners was not identified in the FY 1993-94 budget, and the cost of such replacement exceeds administrative authorization, standing Council policy requires approval prior to purchase. The Committee recommends approval of a change of intent for $1,401, utilizing funds within the Unscheduled Maintenance Account, to purchase new air conditioning units for #9 Fire Station and the Police Radio Lab.

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt

BY COUNCILMAN BENAVIDES:

That the report of the Committee be approved.

CARRIED UNANIMOUSLY

July 12, 1993

RESOLUTIONS

RESOLUTION #409

BY THE GENERAL SERVICES COMMITTEE

WHEREAS, the City Clerk has proposed that the Lansing Charter be amended to reduce the number of nomination petition signatures required for a candidate for city office to get on the ballot, and that the charter be amended to permit, in lieu of filing a nominating petition, a candidate to pay a filing fee of $100.00; and

WHEREAS, the City Clerk advises that such amendments will result in cost savings to the City by greatly reducing the amount of canvassing required; and

WHEREAS, such amendments may encourage more citizens to participate in the process of seeking elective office; and

WHEREAS, City Council does hereby propose the same be put before the electorate as a Charter Amendment;

NOW, THEREFORE BE IT RESOLVED, that the City Council hereby directs in accordance with the provisions of governing law that the following question be placed on the November 2, 1993 General Election Ballot:

CITY OF LANSING CHARTER AMENDMENT
PROPOSAL A
METHOD OF NOMINATION PROPOSITION

SHALL SECTION 2-204 OF THE LANSING CITY CHARTER BE AMENDED TO CHANGE THE METHOD OF NOMINATION FOR CANDIDATES FOR CITY OFFICES BY:

(A) LOWERING THE NUMBER OF PETITION SIGNATURES REQUIRED TO AT LEAST 100 BUT NOT MORE THAN 150 OF THE PERSONS REGISTERED TO VOTE IN A WARD FOR WARD ELECTIONS, AND TO AT LEAST 400 BUT NOT MORE THAN 600 OF THE REGISTERED ELECTORS OF THE CITY FOR CITYWIDE ELECTIONS; AND

(B) ALLOWING IN LIEU OF A NOMINATING PETITION, THE PAYMENT OF A FILING FEE OF $100.00 WHICH SHALL BE NONREFUNDABLE?

YES _____

NO _____

BE IT FURTHER RESOLVED, that the City Clerk shall post the text of the Charter amendment together with the current Charter provisions in a conspicuous place on Election Day at each polling place in the City of Lansing; and

BE IT FINALLY RESOLVED, that the City Clerk shall cause the text of the Charter amendment together with the current Charter provisions to be published twice in a daily newspaper circulated in the City of Lansing, at least ten (10) days prior to the date upon which said proposals are to be voted.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #410

BY THE COMMITTEE ON PUBLIC SERVICES WHEREAS, the interim director of the Public Service Department has compiled the attached list of billings for private properties which had trash and debris in the right-of-way removed by the department in the total amount of $1,376.53; and

WHEREAS, in accordance with Section 1063.09 of the City Code, the City Assessor will bill the property owners for the amounts listed, and place on the December 1993 Tax Roll V-27 any amounts not collected by the due dates;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the attached list of billings to private properties for removal of trash and debris in the right-of-way.

July 12, 1993

attachment

By Councilmember Brockwell

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Carried unanimously

1. 1613 S. Cedar, 3301-21-477-015-4, Violation #15010
   Service Fee..... $188.67
2. 802 Fayette, 3301-22-307-351-6, Violation #15176
   Service Fee..... $192.80
3. 1319 W. Hillsdale, 3301-17-454-321-4, Violation #15045
   Service Fee..... $226.56
4. 3517 Ruth, 3301-34-227-061-6, Violation #15023
   Service Fee..... $192.80
5. 820 ML King Blvd/Logan, 3301-08-476-091-0, Violation #6942
   Service Fee..... $192.92
6. 1801 Linval, 3301-21-484-001-3, Violation #15051
   Service Fee..... $193.92
7. 921 Nipp, 3301-20-133-041-9, Violation #15069
   Service Fee..... $188.86

Total $1,376.53

RESOLUTION #411
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of Paul E. Todd to the Board of Electrical Examiners for a term to expire June, 1997, is hereby confirmed.

July 12, 1993

By Councilmember Brockwell

Carried unanimously

RESOLUTION #412
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of Howard Lutz to the Board of Electrical Examiners for a term to expire June, 1997, is hereby confirmed.

July 12, 1993

By Councilmember Brockwell

Carried unanimously

RESOLUTION #413
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of Rick Kibby to the Public Service Board for a term to expire June, 1997, is hereby confirmed.

July 12, 1993

By Councilmember Brockwell

Carried unanimously

RESOLUTION #414
BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Seven Block Development Plan, organized under Act 344 of the Public Acts of 1945 as amended, has been approved by the Seven Block Citizens District Council; and

WHEREAS, the Lansing Planning Board, pursuant to a public hearing, did recommend on November 17, 1992 approval of the Seven Block Development Plan including its financial plan; and

WHEREAS, the Plan was forwarded to the Physical Development and Ways and Means Committees of Council for consideration subsequent to a public hearing before City Council; and

WHEREAS, the Physical Development Committee on February 11, 1993, voted unanimously to recommend approval of the proposed land use patterns and types of development; and

WHEREAS, the Ways and Means Committee has reviewed the Financial Impact Statement and the report of the Planning Board and the Physical Development Committee; and

WHEREAS, the Ways and Means Committee has, after review of the above mentioned reports, issued a committee report which recommended approval of the elements of the plan subject to several contingencies and specified monitoring reports; and

WHEREAS, the Ways and Means Committee report generated a resolution of preliminary approval adopted by City Council on May 3, 1993, which allowed the Administration to make application to the Office of Housing and Urban Development for a Section 108 loan guarantee; and

WHEREAS, the Ways and Means Committee is now desirous of recommending the financial plan as outlined in the Seven Block Development Plan as modified by the assumptions contained in the Financial Impact Statement subject to conditions;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council accept the recommendations of the Physical Development Committee and the Ways and Means Committee to approve the Seven Block Development Plan subject to the following conditions:

1. The application for a Section 108 loan guarantee will be submitted to HUD. Based on the financial impact statement, it is not anticipated that the City will have to draw down funds on the Section 108 loan unless project timing or costs differ substantially from available projections. Should this occur, proposed fund drawdown repayment schedule and source of funds will be submitted to Council for approval.

2. Approval of Council must be obtained prior to execution of legally binding commitments with either the Michigan Department of Transportation or Union Missionary Baptist Church regarding the purchase or sale of the "Triangle" property.

3. All proposals received for developing a commercial center at the northeast corner of Kalamazoo and Dr. Martin Luther King Jr., Blvd./Logan Street must be reviewed by the Seven Block Citizen Monitoring Team, Physical Development and Ways and Means Committees prior to final selection by City Council. The selection criteria shall include, but not be limited to: (1) conformance with the plan; (2) a cost benefit analysis; (3) market analysis; (4) prior record and on time performance; and (5) financial capability. Prior to initiating acquisition, a performance bond cash deposit and/or letter of credit must be posted by the developer, sufficient to warrant proceeding with expending city funds. The selection criteria shall also comply with the city purchasing ordinance.

4. All proposals received for the sale, long-term lease and/or reuse of the existing Union Missionary Baptist Church structure at 1020 West Hillsdale and the associated linear park land must be

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

approved by City Council after review by the Physical Development and Ways and Means Committees.

5. All acquisitions which result from eminent domain must first be reviewed by the Physical Development and Ways and Means Committees.

6. The Ways and Means Committee shall be notified and may wish to review property acquisition offers where the appraisal price exceeds more than 2.4 times the state equalized value exclusive of taxes. closing costs appraisal or relocation expenses.

7. All proposed amendments or material changes to the plan regarding financial matters, which increases the estimated costs as included in the Financial Impact Statement, shall be reviewed by the Ways and Means Committee prior to approval by City Council.

8. An annual report shall be made to a joint session of the Physical Development and Ways and Means Committees each year in November throughout the duration of the project detailing the progress made relative to timetables, funding schedules, and anticipated or potential problems for the various component projects in the plan.

By Councilmember Benavides

Carried unanimously

RESOLUTION #415
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following accounts be reappropriated and carried forward into the Fiscal Year beginning July 1 1993, in the lessor of the amount indicated or the unencumbered balance;

GENERAL FUND	AMOUNT
FIRE	
101 343510 977000 0—Maint.-Equipment	
Ctrl. Acct. 101 343501 992200 0	$700
POLICE	
101 343202 977000 0—Admin.-Equipment	
101 343201 992200 0	$3,200
MUN. & NEIGHBORHOOD DEVEL.	
FROM: 101 172620 741000 0—Misc. & Oper.	
101 172601 992200 0	$1,842
TO: 101 172620 977000 0—Equipment	
101 172601 992200 0	$1,842
REFUSE FUND	
RECYCLING—P.E.C. & M.	
FROM: 596 453688 742000 0—Oper. Supplies	
590 453670 992200 0	$1,360
TO: 596 453688 977000—Equipment	
590 453670 992200 0	$1,360

By Councilmember Benavides

Carried unanimously

RESOLUTION #416
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has recommended the reappointment of GAYLE VALENTINE TO THE BOARD OF REVIEW; and

WHEREAS, in conformance with Council policy the Committee interviewed Ms. Valentine and recommended that her reappointment be confirmed;

NOW, THEREFORE, BE IT RESOLVED the reappointment of Gayle Valentine to the Board of Review is hereby confirmed. Term will expire June, 1996.

July 12, 1993

By Councilmember Benavides

Carried unanimously

RESOLUTION #417
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

$59,200 from Est. Rev.—Metro Forf. A/C 265-0-170001-0
$59,200 to Metro-Bgt. Ctrl. A/C 265-343253-992200-0
(6 months appropriation for est. expenses for seized real estate, included such items as insurance, land contract payments, taxes, maintenance, and management services.)

Submitted by:
John McComb, Principal Operations Analyst

I hereby certify that funds are available.

By Councilmember Benavides

Carried unanimously

ORDINANCES FOR INTRODUCTION

ADDING A NEW CHAPTER, CHAPTER 1222
SEVEN BLOCK NEIGHBORHOOD DEVELOPMENT PLAN

By Councilmember Benavides

That the following ordinance of the City of Lansing, Michigan providing that the Code of Ordinances be amended by

Adding a new chapter, Chapter 1222 for the purpose of adoption of Strategies for the Implementation of the Seven (7) Block Neighborhood Development Plan and the Adoption of the Seven (7) Block Neighborhood Development Plan Itself

Was introduced by Councilmember Benavides read a first and second time by its' title and referred to the Committee on Ways and Means

RESOLUTION #418
RESOLUTION SETTING PUBLIC HEARING

By Councilmember Benavides

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, July 26, 1993 at 7:00 P.M. in the 119th Artillery Park located at 300 Horton St., for the purpose of considering an Amendment Adding a new chapter, Chapter 1222 for the purpose of adoption of Strategies for the Implementation of the Seven (7) Block Neighborhood Development Plan and the Adoption of the Seven (7) Block Neighborhood Development Plan Itself

Interested persons are invited to attend this public hearing

By Councilmember Benavides

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Adopted by the following vote:

YEAS: Councilmembers Belen, Benavides, Brockwell, Canady, Lilly, Schmidt

NAYS: None

ABSENT: Councilmembers Beal, Ford

ORDINANCES FOR PASSAGE

There are no Ordinances for Passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Belen; a request for Non-Profit status from Michigan Women's Studies Assoc.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2/ From Councilmember Brockwell; a request that the rules be suspended to allow residents of the 1200 Block of Eureka St. to make a presentation during Special Ceremonies

THE RULES WERE SUSPENDED AND LEAH MINK READ A LETTER REGARDING THE PARKING RAMP PROPOSED BY SPARROW HOSPITAL DURING THE SPECIAL CEREMONIES PORTION OF THE AGENDA

3/ From Councilmember Benavides; a Committee Report regarding a Change of Intent for the purchase of equipment

HANDLED AS RESOLUTION #408

4/ From Councilmember Benavides; a Resolution for Transfer of Funds

HANDLED AS RESOLUTION #417

MOTION OF EXCUSED ABSENCE

By Councilmember Belen

To excuse Councilmembers Beal and Ford from tonight's proceedings

Carried unanimously

MAYOR'S COMMENTS

Mayor Crawford cautioned candidates for the August Primary and November General Elections that placing campaign signs in the public right of way is a violation of election law. Any signs that are improperly placed in the public right of way will be removed by the Public Service Department.

COUNCILMEMBER'S COMMENTS

Councilmember Schmidt announced that the Potter Park Zoo will have three free days this week sponsored by Goff Food Stores.

Councilmember Belen noted that the Eastside Neighborhood Organization and the Bingham Street School encouraged City Council to approve the Sparrow Hospital Four Point Master Plan. Sparrow Hospital will design a ramp that will be favorable to the neighborhood. It will not be higher than the building that is there now.

Councilmember Brockwell thanked everyone who expressed concern over the health of his father. He is doing well since his release from the hospital. He encouraged everyone that has the opportunity to visit the Michigan State Botanical Gardens. They are exceptionally beautiful right now.

Councilmember Lilly said that the Sparrow Hospital parking ramp received a great deal of consideration by City Council. There may not have been a lot of discussion on it last Tuesday night, however, that does not mean that they passed over the issue without the same kind of attention that they gave to the skywalk. He explained that he has been undergoing surgery for the last four weeks for treatment of a mild form of skin cancer and cautioned everyone to use protection for themselves and their children.

PUBLIC COMMENTS

Leah Mink of 1208 Eureka St. thanked Council for allowing her to express her concerns regarding the Sparrow Hospital parking ramp. She and her fellow residents of Eureka St. are disappointed that their concerns were not taken more seriously, but, they will work with the Committee to improve the situation as much as possible.

Dennis Albert of 1208 Eureka St. said he has looked at every parking structure in Lansing and E. Lansing and has had bad experiences in the past with bottles and bricks being thrown off of the parking ramp he lived near. Car alarms go off at all hours of the night. These things are not compatible with a residential neighborhood.

Virginia Hambril of 218 Jones St. spoke in opposition to the Sparrow Hospital parking ramp. This will be the impetus that spurs her neighborhood into decline. Alternative options exist for Sparrow Hospital. They should locate their parking ramp on Michigan Ave. it would be much better for the neighborhood.

Brian Singer Towns of 1220 Eureka St. said it is always the small guy in the neighborhood who gets stepped on. This parking ramp will create decline in his neighborhood.

Richard Berry of 1228 Eureka St. said he and his neighbors did not speak last week because they were overwhelmed by the contingency from Sparrow Hospital. The existing building, owned by Sparrow Hospital, has been renovated four times since it was built. Councilmember Beal, he said, is killing their neighborhood.

Barbara Stanford of 204 Clifford said she is a medical worker and has experienced security problems in other medical facility parking ramps. Most of them are staffed by security guards who escort employees to their cars. She asked if the Ethics Board has questioned the validity of Councilmember Benavides' vote on this project. Council should reconsider this issue.

Marge Ojibway of 429 W. Ionia said she thinks Consumers Power is charging their customers twice. She noted that the supporters of the Sparrow Hospital plan do not live in Lansing. If they did, they would feel differently about the Sparrow Hospital proposals. Sparrow is tearing down buildings that could be better used by the citizens, such as the laundromat on Michigan Ave. She suggested that Council may want to change the date of the July 26, 1993 meeting because it is the same day as the United States Government employment exam.

Paget Maynard of 902 W. Shiawassee said that the $80,000,000 that Sparrow Hospital will spend on their renovation is a lot of money. He is glad to see that it will be spent in the city. How many of the employees that will be necessitated by this renovation will be Lansing residents? Past history has shown that very few of the people employed by contractors on projects like this are residents of the city.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Dorothy Jones of 426 W. Barnes Ave. reminded everyone that Friends of Moores Park Pool, along with the City of Lansing, will hold the rededication/reunion ceremony for Moores Park on Sunday, July 18, 1993. Please come and bring a picnic basket. The rededication ceremony will be held at 1:30 P.M. near the pavilion. There will be a water demonstration, 3 on 3 basketball tournament, a photo display of the park in the past and activities for children. All of the park's facilities will be available for public use.

Donna Collins of 225 Moores River Dr. joined Mrs. Jones in inviting the public to participate in the Moores Park rededication/reunion. There will be plenty of shade for anyone who does not wish to be out in the sun. The history committee found that Johnny Wisemuller (the original Tarzan) used to high dive from the Moores Park Pool diving board. The Park was donated to the City by entrepreneur J.H. Moores.

Lee Shunk, Jr. of 601 Leslie St. asked Councilmember Schmidt to contact Ruth Elementary School to arrange for one of their classes to lead the Pledge of Allegiance. These are hearing and speech impaired kids who would consider this to be an honor. He objected to Council allowing thousands of people to come to meetings to push the Sparrow Hospital issue. If they are going to allow Sparrow to do this, they should only listen to the ones that are residents of the city.

Shelton Phillips of 322 E. Hillsdale spoke in favor of placing "Proposition A" on the November ballot. He thinks this method of nomination is a good idea, because, it will allow more people to get on the ballot. He wants to see more participation in city government. He opposes the Sparrow Hospital issue and questions how many people employed by the contractors will be city residents.

Russell Greear of 3801 Walton said that he appreciates everyone going up here and violating the peoples freedom of speech tonight by arresting Mr. Teets. They are letting Sparrow Hospital buy City Hall. The people of the City of Lansing do not want this parking ramp. City Council should start representing the people of the City of Lansing instead of special interest groups. He complained about improperly placed yard signs.

Vivian Bloom of 227 S. Eighth St. said she expected to get information about the repair of S. Eighth street in response to her earlier request, but did not. Why was one block of her street repaired and two blocks left un-repaired? There are big, deep pot holes at the intersection of Eighth St. and Kalamazoo. She spoke in support of the Sparrow Hospital skywalk. There are trees blocking the view of the Capitol anyway. Drivers should be watching the road not the view of the Capitol.

Councilmember Lilly cautioned those people speaking on the Sparrow Hospital projects that the rezoning was approved for a specific location. The issue of moving the parking ramp to another location is not on the table. Council is willing to set up a committee to work with the residents to address their concerns, however, Sparrow will not be looking at new locations for this ramp.

Tom Shields of 1118 Riley St. said that the view of the Capitol on the approach from the East has been unobstructed since 1879, now it is gone. Only 1 in 10 of the people from Sparrow Hospital, who endorsed the skywalk, lives in Lansing. Who, he asked, elected these councilmembers?

Harold Leeman of 529 N. Francis asked what amount was settled on for the purchase of the Terry Whitman building. What is the status of the buildings next to the Lansing Center? He had heard that they were to be demolished this month? He asked Councilmember Benavides why he did not abstain from the vote on the Sparrow Hospital issues last week. Council should reconsider these items. Councilmember Belen responded that the TIFA Board concluded the arrangements for one of the storefronts in the building next to the Lansing Center and are in court on others right now. They should have these matters cleaned up within a week. City Attorney Knot explained that the purchase of the Whitman building went to mediation. The building and land was appraised at $80,000 to $90,000. That is what the City offered Mr. Whitman. The mediation panel came back with a $140,000 counter. They expect to offer that amount to Mr. Whitman.

William Bernstein of 420 Baker St. protested his arrest at the June 28th City Council meeting. This is not justice. His trial for disturbing a public assembly was rigged and he has evidence to prove it.

Darryl Burgess of 1407 Prospect said that the land on the north side of Michigan Ave. is big enough for a renaissance center. It is certainly big enough for Sparrow's expansion plans. Their 14 minute video last week was insulting and he could produce one that shows the exact opposite result. If the deal for the sale of the Civic Center is not culminated in September of this year, there is a chance that it could become the property of the citizens of Lansing once again. This building was dedicated to fallen veterans.

Russ Bedlock of 1913 Harley said that the former Mayor is selling insurance. The grass on the Riverwalk at the corner of Turner and Clinton is 4 feet high. This is city property and they should maintain it.

Julia Satow of 1210 Eureka St. referred to an article that appeared in the Lansing State Journal which stated that the Lansing Planning Board denied the Sparrow Hospital request for the skywalk and parking ramp.

Kevin Hendrickson of 1212 Eureka spoke in opposition to the parking ramp on Eureka St. proposed by Sparrow Hospital.

Tim Lewis of 500 S. Pine asked why President Canady did not enforce Rule #19 last week as it applies to requiring large groups to appoint spokes persons to state their views. On August 14, and 15, a steam locomotive will be coming through Lansing en-route from Flint to Grand Rapids.

Louis Potoff of 1712 W. Miller asked who the Councilmember for his ward is. He would like them to call him at 882-0593. He would like to procure a copy of the City Charter. They need increased police protection in his neighborhood. We should not be building anymore parking lots in this city. We have enough already.

Mike Keef of 301 Jones St. said that the Sparrow Hospital parking ramp will swing the balance the wrong way and jeopardize his neighborhood. In other ways Sparrow has been a good neighbor. They could have communicated their plans to the neighborhood more effectively. He lives one block from the proposed ramp and he never received any notice from them.

Ken Vaughan of 114 Garden St. said it was the money of the citizens of Lansing that paid to defend the dishonest people who wrote the early retirement resolution. Council has had five

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

opportunities to rescind that resolution and has failed to do so. The people who defined the plan will receive the most benefit from it. The tax payers of the city are still the losers.

Paul Scott of 412 W. Kilborn said the city should leave some commercial structures at the corner of Cedar and Michigan to support the activities of the Lansing Center. He informed Council that the Volunteers of America suffered an arson fire tonight. They were filling the need for homeless shelters due to the closing of the rotating sanctuary program, but now will not be operational to provide shelter for homeless women and children. This makes the plight of the homeless critical. He urged the City to offer whatever assistance they could.

Andrew Anthos, no address given, said that Council cannot keep arresting people for speaking about things they do not like.

Gary Andrews of 560 Brookland Blvd. thanked Councilmember Schmidt for getting the traffic control concerns in his neighborhood before the Traffic Board. He stated his concern over the sewer system in the Cedarbrook subdivision. The lines need to be cleaned.

ADJOURNED 9:50

MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, July 19, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
July 19, 1993

The City Council of the City of Lansing met in regular session at 7:05 P.M. and was called to order by President Canady

PRESENT: Councilmembers Beal, Belen, Brockwell, Canady, Ford, Lilly, Schmidt

ABSENT: Councilmember Benavides

The Invocation and Pledge of Allegiance were led by Councilmember Lilly

MINUTES

By Councilmember Belen

To approve the Printed Council Proceedings of May 3, 10, 17, 24, and June 1, 1993

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Schmidt

To accept the following under suspension of the rules:

1/ From Councilmember Schmidt; a letter from the Ingham County/ City of Lansing Community Corrections Advisory Board requesting confirmation by City Council of the appointment of Kevin Lamiman to their board

Carried unanimously

SPECIAL CEREMONIES

A. Mayor Crawford Introduced Colonel Pat Dowell of the Volunteers of America, Voluntary Action Center who gave an update on the status of VOA following the arson fire they suffered last week. Colonel Dowell thanked everyone for their concern, prayers, and donations. She commended the Lansing Fire Department and the Lansing Police Department for their exemplary service during the emergency. No one was injured in the blaze, however, the VOA lost almost everything, including 5 floors of clothing, furniture, and other items. She sent a special thanks to Mary and Jim Olson for the donation of their warehouse at 700 E. Kalamazoo. They desperately need donations of clothing, especially winter clothing. They began their pickup service again today. The opening of their emergency shelter will now be postponed. The fire was arson and anyone with information is requested to call the Lansing Fire Department, Fire Marshall, or Police Department. Information about donations can be gotten by calling 484-4414 and checks should be written to the VOLUNTEERS OF AMERICA. P.O. Box 2606, Lansing, MI 48909.

SCHEDULED PUBLIC HEARINGS

A. In consideration of Z-02-93, 6066 & a portion of 6070 S. Dr. Martin Luther King, Jr. Blvd./Logan St., request to rezone from "A" Residential, "F" Commercial and "J" Parking to "F" Commercial District

There were no speakers for this public hearing

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

B. In consideration of Z-03-93, 3104 S. Cedar St., request to rezone from "D-1" Professional Office and "E-2" Local Shopping Districts to "F" Commercial District

There were no speakers for this public hearing

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

C. In consideration of Z-04-93, 619 E. Michigan Ave. request to rezone from "H" Light Industrial to "G-1" Business District

Lloyd Teets of 116 E. Elm St. asked how this property ever got the "H" Light Industrial zoning.

Jim Ruff of the City of Lansing Department of Planning and Neighborhood Development said that this property has been zoned as
"H" Light Industrial since 1942.

Councilmember Lilly explained that this property borders the railroad tracks and that is the reason for the zoning.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

PUBLIC COMMENT

Ken Vaughan of 114 Garden asked why the blighted district ordinance is necessary.

Russell Greear of 3801 Walton Dr. criticized Mayor Crawford for being unwilling to write a letter in support of the HUD sponsored homeless shelters, but, being willing to pass the blighted district ordinance.

Lloyd Teets of 116 E. Elm said the blighted district ordinance is meaningless. Council has full power to do these things already we do not need to pass this ordinance.

Lewis Pothoff of 1712 W. Miller Rd. asked why the city requires a Public Driver's license for taxi drivers. This is a duplication of the State's efforts to license commercial drivers.

Lee Shunk, Jr. of 601 Leslie called the blighted district ordinance a joke and said it made Councilmembers look like court jesters.

Frank Curtis "X" of 1137 W. Allegan said that Council has overstepped their boundaries.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as being read in full and that the proper referrals be made by President Canady

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Carried unanimously

A. Notice from State of Michigan, Department of Social Services regarding the Michigan Zoning Enabling Act and the Federal Fair Housing Amendments Act of !988

REFERRED TO THE CITY ATTORNEY

B. Claim of Thelma G. Simpson of 3149 Plymouth Dr.

REFERRED TO THE CITY ATTORNEY

C. Two letters from Mrs. H.M. Kolemainen of 334 Wildwood Dr., E. Lansing in opposition to the Sparrow Hospital skywalk

RECEIVED AND PLACED ON FILE

D. Letter from Leah D. Minc of 1208 Eureka offering the names, addresses and phone numbers of volunteers for a design review committee for the Sparrow Hospital parking ramp

REFERRED TO THE MAYOR

E. Letter from Walter Neller Enterprises, Inc. in support of SLU-04-93, 121 Ferguson St.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

MAYOR'S COMMENTS

Mayor Crawford noted that Item VIII A, letter from the State of Michigan, is the result of a law suit over the property on Glencoe Way. The City's position has been upheld regarding this property. He reviewed his letters on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. **RESOLUTION #419** July 19, 1993
President Canady and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: David Wayne Lackie
VEHICLE FOR HIRE: Country House Catering, Classic Caddy Limousine

Sincerely,
Marilynn Slade, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of July 12, 1993 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the City Attorney regarding Michigan Tax Tribunal Appeals filed by:

-The Morton Trust
-Eyde Construction Co.
-Investment East

RECEIVED AND PLACED ON FILE

D. Letters from the Mayor re:

1/ Appointment of Gilbert Williams to the Cable Advisory Board

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

2/ Reappointment of Agnes Ziegler to the Senior Citizens Advisory Board

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

3/ Neighborhood Outreach

RECEIVED AND PLACED ON FILE

4/ Riverwalk Solar System Model

RECEIVED AND PLACED ON FILE

5/Executive Transfers

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

6/ Sole Source Purchase, Mail Machine

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

7/ FIS—Community Forestry Grant

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

8/ Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

9/CSO Tree Report

RECEIVED AND PLACED ON FILE

COMMITTEE REPORTS

There were no Committee Reports

RESOLUTIONS

RESOLUTION #420
BY COUNCILMEMBER CHARLES FORD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan State Police Troopers Association, Inc. has requested non-profit status recognition from the Lansing City Council; and

WHEREAS, the City Attorney has reviewed the appropriate documents and by-laws and has determined that the Michigan State Police Troopers Association, Inc. qualifies as a non-profit corporation;

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Lansing hereby recognizes the Michigan State Police Troopers Association, Inc. as a non-profit organization.

July 19, 1993

By Councilmember Ford

Carried unanimously

RESOLUTION #421
BY: ECONOMIC DEVELOPMENT COMMITTEE

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

WHEREAS, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-9-84, at 6810-6820 S. Cedar Street, Lansing, Michigan and issued a Commercial Facilities Exemption Certificate (84-016) for restoration of an existing facility at 6810 S. Cedar Street to Long Development, Inc. on December 17, 1984 to remain in effect for twelve years; and

WHEREAS, Lansing Clarion Limited Partnership, having received the above-mentioned property by conveyance from Long Development, Inc. has applied for the transfer of this Commercial Facilities Exemption Certificate for the remainder of the twelve year certificate; and

WHEREAS, a public hearing was held on June 7, 1993 at which time all interested parties had an opportunity to be heard on Lansing Clarion Limited Partnership's application for a Certificate transfer; and

WHEREAS, Lansing Clarion Limited Partnership has met the requirements for said Exemption Certificate transfer as required by Public Act 255 and by the policies of this Council; and

WHEREAS, the Council finds that the granting of this Exemption Certificate transfer, considered together with the aggregate amount of Certificates previously granted and currently in force shall not have the effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Lansing approves the application for the transfer of the Commercial Facilities Exemption Certificate (84-016) to the Lansing Clarion Limited Partnership at 6810 S. Cedar Avenue for the remaining period of years on the existing Certificate.

By Councilmember Belen

Carried unanimously

RESOLUTION #422
PUBLIC IMPROVEMENT II

By the Committee on Physical Development

RESOLVED, by the City Council of the City of Lansing, that the plans and specifications returned by the Department of Public Service in pursuance of the following resolutions of this Council:

RESOLUTION DATE 7/6/93
PROPERTY BENEFITTED
CURB & GUTTER, STORM SEWER: All lands fronting on Richard Road from 131 feet north of Dadson Drive to Fisher Drive excepting all public streets and alleys and other land deemed not benefitted.

RESOLUTION DATE 7/20/92
PROPERTY BENEFITTED
CURB & GUTTER, STORM SEWER: All lands fronting on Christansen Road from Hillcrest to Mary Avenue excepting all public streets and alleys and other land deemed not benefitted.

be received, approved and placed on file.

The Engineer's estimated expense of said improvements are as follows:

ASSESSMENT ROLL NO. 325

	TOTAL COST	CITY CONTRIBUTION	ASSESS. TO PROP. OWNER
CURB & GUTTER	44,456.42	5,890.16	38,566.26
OTHER COSTS	82,792.12	82,792.12	0.00
TOTAL COSTS	127,248.54	88,682.28	38,566.26

project to be part of the 1993 Curb & Gutter Contract, P.S. #01008.

Account Number
City Share of C&G 5,890.16
401 933615 973000 41413
City Share of Other Costs 62,792.12
406 933601 974100 51000
City Share of Other Costs 20,000.00
403 933601 974100 42125
Assessment Roll #325 ..... 38,566.26
404 933601 974100 42125
TOTAL $127,248.54

THAT the Finance Director be directed to advertise and let for bid, the specifications for said project as submitted by the Department of Public Service.

THAT the City Assessor be, and is authorized, to make special assessment installation rolls, based upon the bids to be received and other related costs of construction, and return same to the City Council.

I hereby certify that funds are available for the City of Lansing's share of said project.

Charles S. Remenar, Deputy City Controller

By Councilmember Lilly

Carried unanimously

RESOLUTION #423
ACT 21-92, 1713 SUNSET AVENUE

WHEREAS the Ingham County Humane Society wishes to assign, transfer and set over all of its right, title, interest, duties and obligations under that certain Lease agreement dated November 29, 1982 and ending January 1, 2000, to the City of Lansing; and

WHEREAS the proposal and real estate were reviewed by the Lansing Planning Board under the provisions of Michigan Public Act 285 of 1931, as amended, and found that there were no reasons not to accept the return of the property, and that there were no future plans or requirements by any City agency for the use of the property, and the Board recommended the sale of the property with the following conditions:

1. That the deed contain provisions requiring the following:

a. Continued maintenance of a pet cemetery on the premises for at least twenty years unless change is agreed to by the mutual consent of the City of Lansing and the property owner;

b. Notification be given to all interested parties that use of the pet cemetery may change twenty years hence, and that when and if change occurs, six months' prior notice will be given to each interested party;

2. That no other uses other than those generally associated with pet care and services be permitted during the twenty-year period;

3. That upon verification by survey, the City split this parcel from the Waste Water Treatment Plant property;

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

4. That the property be sold for fair market value (which according to the Assessor is minimally $120,000) and be placed on the tax rolls accordingly;

5. That the proceeds from the sale be accrued to the Public Service Waste Water Treatment Plant accounts;

6. That the sale proceed in accordance with the Charter and Ordinance 539, included as Section 208.08 of the Lansing Code of Ordinances;

7. That the purchaser pay all related closing costs;

8. That boarding facilities and the physical dimensions of the building not be expanded; and

9. That no outdoor exercise runs or treatment areas be provided according to Section 1268(f)(1)-(3); and

WHEREAS the City Assessor's office has appraised 1713 Sunset Avenue, assuming there will be no change in its present use, at $120,000; $85,000 for the land (170,000 square feet) and $35,000 for the building and other improvements; and

WHEREAS the Physical Development Committee of City Council has reviewed the recommendations of the Planning Board and concurs with the proposed sale of 1713 Sunset Avenue;

NOW THEREFORE BE IT RESOLVED that the City Council approve the sale of 1713 Sunset Avenue more commonly described as:

The South 144.95 feet of Lot 52, excepting the East 165 feet thereof, and also the North 150 feet of Lot 51, excepting the South ½ of the West 160 feet thereof; Assessor's Plat No. 11 on the Northwest ¼ section 8, Township 4 North, Range 2 West, City of Lansing, Ingham County, Michigan. Except for any land being used by the Public Service Department. The exact dimensions and final description are to be determined by land survey.

BE IT FURTHER RESOLVED that the sale be by public auction with bidding to start at $120,000 and contingent on the above listed conditions as recommended by the Planning Board; and

BE IT FINALLY RESOLVED that the Administration be authorized to complete the final arrangements for the sale including signing the transfer documents, with the purchaser paying all closing cost including the land survey.

By Councilmember Lilly

Carried unanimously

RESOLUTION #424
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor, the Park Board, and the Board of Directors of the Friends of Turner-Dodge have recommended that this Council approve the recently-completed Preservation Master Plan for the Turner-Dodge House; and

WHEREAS, preservation of this historic City-owned property is to be undertaken in accordance with the Secretary of the Interior's Standards for Historic Preservation Projects, with both exterior and interior renovations; and

WHEREAS, limited funds are available through the dedicated Parks millage revenue to begin the Master Plan work, and Phase I is estimated to cost $500,000.00; and

WHEREAS, a long term financial impact analysis has not been completed on operational costs of the facility during and after Master Plan renovations; and

WHEREAS, the Committee on Physical Development has recommended that Phase I be approved, using $500,000.00 from the FY94 Park Millage revenue as budgeted, and that a long-term financial impact analysis be completed prior to Council action on subsequent phases of the Plan;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves implementation of Phase I of the Turner-Dodge House Preservation Master Plan; and

BE IT FURTHER RESOLVED the Council requests completion of a financial impact analysis of future phases of the plan, as well as any anticipated operational changes made possible by the renovation; and

BE IT FINALLY RESOLVED the Council desires to review the financial impact analysis prior to action on a FY 94-95 appropriation for plan implementation.

By Councilmember Lilly

Carried unanimously

RESOLUTION #425
By Councilmember Lilly:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, August 2, 1993, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of considering the sale of the vacant lot at the northeast corner of Baker and Diamond Reo Way, more particularly described as:

Lot 5, R.E. Olds Subdivision, City of Lansing, Ingham County, Michigan

to Hager-Fox, Inc.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers seal, Belen, Brockwell, Canady, Ford, Lilly, Schmidt

NAYS: None

ABSENT: Councilmember Benavides

ORDINANCES FOR INTRODUCTION

ADDING A NEW CHAPTER, CHAPTER 1222
BLIGHTED DISTRICT ORDINANCE

By Councilmember Lilly

That the following ordinance of the City of Lansing, Michigan providing that the Code of Ordinances be amended by

Adding a new chapter, Chapter 1217, for the purpose of providing for the Use of Community Development Block Grant Funds to Prevent and Eliminate Conditions of Blight and Deterioration

Was introduced by Councilmember Lilly read a first and second time by its' title and referred to the Committee on Ways and Means

RESOLUTION 426
RESOLUTION SETTING PUBLIC HEARING

By Councilmember Lilly

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, August 2, 1993 at 7:00 P.M. in the Council Chambers, 10th Floor, City Hall, 124 W. Michigan Ave., for the purpose of considering an Amendment Adding a new chapter, Chapter 1217, for the purpose of providing for the Use of Community Development Block Grant Funds to Prevent and Eliminate Conditions of Blight and Deterioration

Interested persons are invited to attend this public hearing

By Councilmember Lilly

Carried unanimously

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Schmidt; a letter from the Ingham County/ City of Lansing Community Corrections Advisory Board requesting confirmation by City Council of the appointment of Kevin Lamiman to their board

REFERRED TO THE MAYOR AND THE COUNCIL PRESIDENT

MOTION OF EXCUSED ABSENCE

By Councilmember Brockwell

To excuse Councilmember Benavides from tonight's proceedings

Carried unanimously

MAYOR'S COMMENTS

Mayor Crawford gave an update on the street repair scheduled for this year. One third of the 6.5 miles of street repair have already been completed, with the remainder scheduled for completion by the end of August. This does not include the repair connected to the Combined Sewer Overflow project. He reported non-compliance with the recycling ordinance by a large number of owners of multi-family apartment complexes. Warning letters are now being sent out stating that these owners are in non-compliance and must comply, or, face legal action.

COUNCILMEMBER'S COMMENTS

Councilmember Schmidt reported receiving a letter from Mr. Strickler, Public Relations Director for the Board of Water & Light, stating that they would be testing equipment and residents may notice a large plume of steam coming from the downtown Ottawa plant. Testing began today and will last for several weeks.

Councilmember Beal said she received a communication from Tom Shields of 1118 Riley regarding tall grass & weeds in the median of Pennsylvania Ave. and Aurelius Rd. and at the entrances to I-496. She reported receiving calls about an excessive amount of signs being put on telephone poles around the city. She asked Mayor Crawford to make sure that the city's ordinances regarding these matters are being complied with. She requested that the Committee of the Whole set a time table for the re-working of the wastewater treatment rate ordinance.

Councilmember Lilly reported receiving calls from residents on Bristol Rd. regarding a couple of abandoned, vacant houses on Bristol. Vagrants are getting into the houses. He would like to have these houses boarded up. The lots are overgrown with tall grass and weeds. Neighbors report seeing people at these houses with guns. He requestec that the Mayor look into the reports.

Councilmember Belen asked her colleagues if they remember what happened to the plaque in Durant Park commemorating WWI Veterans. If anyone has any information about what might have become of this placque please contact her.

PUBLIC COMMENTS

Lewis Potoff of 1712 W. Miller Rd. thanked Ron Onufer for giving him a free copy of the City Charter at last week's meeting. However, you have to be a lawyer to read it. The steps going into and out of City Hall should be painted yellow according to State law. He reiterated his request for increased police protection in his neighborhood from 6:00 P.M. to 7:00 A.M.

Ken Vaughan of 114 Garden St. spoke regarding the early retirement plan and the use of tax payers money to hire outside legal counsel to defend it.

Helen LeBlanc of 2021 Cumberland, Vice President of the Planning Board, defended their position on recent issues before City Council; the Emanuel First Evangelical Lutheran Church and Sparrow Hospital.

William Hubbell of 1003 W. Cavanaugh said that his apartment complex still does not have a recycling program in place. The owner has informed him that the Institute for Real Estate Management has advised complex owners to not comply with the ordinance.

Russell Greear of 3801 Walton Dr. said that his apartment complex does not have recycling either. The complex owners do not want to go up there and give out bags. City Council should go up here and tell these land owners they have to start recycling. Councilmember Schmidt, he said, needs to go up there and check out Clifton St. They are having a lot of problems and are being treated like third class citizens. The citizenry is going to go up there in the primary and vote every one of the councilmembers out of office.

Ruth Peoples of 1019 Hickory said that the night before last she had no less than three different prostitutes practicing out of her back yard. She saw 4 different money transactions take place. She has a teenage daughter that she does not want to subject to this type of activity. What will it take to get something done about this? She has never seen a policeman in her neighborhood. She is tired of this kind of thing going on and she wants her neighborhood back.

Harold Leeman of 529 N. Francis thanked Mayor Crawford for attending the Moores Park rededication/reunion. He thanked the Collinses, Joneses, Murray's and Mertzes for their efforts on behalf of the Rededication. The primary is two weeks from tomorrow. Estimates say that about 16,000 voters will show up to vote out of the 82,000 registered voters in the city. He urged everyone to get out to the polls and increase this figure to 1/2 of the registered voters. He suggested that the National Night Out ceremonies at next weeks meeting be held from 6:00 to 7:00 prior to the start of the Council meeting. He suggested that Councilmember Belen put a disclaimer on the Belen Flowers billboards stating that they are not political advertisements.

Lee Shunk of 601 Leslie St. apologized for his comments regarding the blighted district ordinance earlier tonight. He complained that the pedestrian traffic signals on E. Kalamazoo do not work and there are detour signs laying down on the street for people to trip over.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Robert Palmateer of 1220 Chestnut asked why it takes so long to get a response out of 911. Three times in the last several months he has had to wait 20 to 25 minutes for the paramedics to respond.

Mary Massoglia of 2911 Cooley Dr. reported a new program opening in Lansing. SHARE requires a $13.00 membership fee. Participants perform community service and get up to $30.00 to $35.00 worth of food for it. She has information available if anyone wants to become involved.

Frank Curtis "X" of 1137 W. Allegan said he had a meeting with the City Attorney last week and lauded his intelligence. He said he is happy to see that the former Mayor and City Clerk's problems are all over with.

William Bernstein of 420 Baker St. said that he is here tonight in defense of Mr. Teet's rights. Council had him arrested because he believes in exercising his first amendment right of free speech.

Lloyd Teets of 116 E. Elm St. refused to make any apologies for his statements regarding the blighted district ordinance because it is claptrap, written by HUD idiots. He urged everyone that wants to clean up city government to vote the incumbents out of office.

Andrew Anthos, no address given, said he has been vacationing out of state, but, is glad to be back in Michigan.

Paul Scott of 412 W. Kilborn advised all candidates to make sure that their campaign signs are not in the public right of way. He attended the Moores Park Rededication/reunion ceremony yesterday. It was his first time in Moores Park, but, not his last. This is a wonderful park. It is a jewel in the City of Lansing. It is for reasons like this park and this neighborhood that people choose to live in the city. He said that the city has still not drawn up any language to codify the process used by Sparrow Hospital to get their skywalk approved.

Alma Miateck, no address given, protested the animosity that citizens have towards City Council and suggested that Council set up a Citizens Review Committee to go back over council rules. Without the support of the people, Councilmembers will not be re-elected.

Tim Lewis of 500 S. Pine stated that three weeks ago he was arrested for holding up a sign in council chambers. What, he asked, is wrong with people displaying a sign? This is within their first amendment rights.

Paget Maynard of 902 W. Shiawassee said that people look for justice in the wrong places. You cannot get it in the court system. Council, he said, is too far removed from the people. He wants to make it plain to everyone that this coming election is their opportunity to select people who you believe will truly represent you in all facets of City Government.

ADJOURNED 8:55 P.M.

MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, July 26, 1993

119th Artillery Park
300 Horton St.
Lansing, Michigan
July 26, 1993

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Canady

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Ford

MINUTES

By Councilmember Schmidt

To approve the printed Council Proceedings of June 7, and June 14, 1993

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Beal

To accept the following under suspension of the rules:

1/ From Councilmember Beal; a letter from Jack Spinner, President of Fabulous Acres Neighborhood Association regarding funding for a Park in their neighborhood

2/ From Councilmember Schmidt; a letter from the Maplewood Area Neighborhood Watch #317 regarding parking problems around Coscarelli's

3/ From Councilmember Lilly; a letter from Advanced Hearing Aid Services in support of SLU-04-93, 121 Ferguson St.

Carried unanimously

SPECIAL CEREMONIES

Mayor Crawford introduced Officer Loren Glasscock of the Lansing Police Department, Coordinator for tonight's Capital Area Night Out Against Crime Ceremony. Officer Glasscock thanked Mayor Crawford, Members of City Council, Channel 28 Staff, Ron Onufer, Michigan National Guard, Jim Crister, Dave Sackman, John Strickler, Gary Bovar, Bill McCullogh and Sam Mancuso for their cooperation in making this kick-off ceremony possible and presented them with Crime Prevention Citations. He introduced law enforcement officers and government officials from the Greater Lansing Area who presented resolutions in support of National Night Out Against Crime.

SCHEDULED PUBLIC HEARINGS

A. In consideration of SLU-02-92, 1518 S. Washington Ave., Petition for Special Land Use for Parking Expansion filed by South Baptist Church

The following People appeared and spoke in opposition to this petition for special land use:

-John Dougherty of 229 Moores River Drive speaking on behalf of the South Central Neighborhood Organization
-Donna Collins of 225 Moores River Drive
-Richard Collins of 225 Moores River Drive
-Priscilla Holmes of 220 Reo Ave.
-Tim Lewis of 500 S. Pine
-Larry Heuer of 119 Garden
-Lloyd Teets of 116 E. Elm St.
-Harold Leeman of 529 N. Francis
-Pat Murray of 1720 Bradley
-Gerrit Houson of 1511 S. Washington
-Russell Greear of 3801 Walton Blvd.
-Paul Novak of 1519 W. Kalamazoo

Councilmember Lilly announced that this petition would not be taken up by the Committee on Physical Development until the Church and Neighborhood have had a meeting to discuss these concerns.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

B. In consideration of SLU-04-93, 121 Ferguson St., Petition for Special Land Use for Surface Parking Lot filed by Dr. Douglas F. Wacker, M.D.

Doctor Wacker of 121 Ferguson spoke in support of his request

Harold Leeman of 529 N. Francis noted that Item VIII E., from the East Side Neighborhood Organization, states their opposition to this request for Special Land Use.

Councilmember Lilly announced that this petition would be taken up by the Committee on Physical Development at their meeting one week from Thursday.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

C. In consideration of SLU-07-93, 1017 E. Oakland Ave., Petition for Special Land Use for Reverend Jeffrey Pokane for establishment of a Residential Care Facility

The following people appeared and spoke in support of this Special Land Use Request:

-Thelma Osteen of 416 Braur St.
-Jeffrey Pokone of 430 Pearl St.
-John Rogers of 8125 Willow
-Sue Rogers of 8125 Willow
-Nancy Houghton of 1012 Maycroft
-Dave Pace of Wayne Michigan,
Exec. Dir. for Michigan Teen Challenge
-John Shaffer of 1048 Francis Rd., DeWitt
-Hulton T. Benson, no address given
-Christian Saenz, no address given

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

And the following people appeared and spoke in opposition to the Special Land Use request:

-Peggy Borrowman 1029 E. Oakland

Harold Leeman of 529 N. Francis suggested that Councilmember Lilly obtain a breakdown of neighborhood demographics to get a sense of what is happening with this request

Councilmember Lilly announced that this petition would be taken up by the Committee on Physical Development one week from Thursday.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

D. In Consideration of the Seven Block Neighborhood Development Plan

Eleanor Love of the Department of Planning and Neighborhood Development made a presentation outlining the process used in codification of this plan.

The following people appeared and spoke in favor of the Seven Block Neighborhood Development Plan:

-Hulton T. Benson, no address given
-Diane Clark of 921 W. Lenawee, Chair of the Seven Block
-Citizens District Council
-Paul Novak of 1519 W. Kalamazoo

Lloyd Teets of 116 E. Elm stated his reservations concerning the plan as it relates to the purchase of Union Baptist Church.

Harold Leeman of 529 N. Francis asked for the cost of implementation of the plan and if the fine print that Councilmember Belen objected to had been cleaned up.

Tom Shields of 1118 Riley asked who would maintain these properties after development of them.

Councilmember Lilly announced that this plan will be taken up at the Physical Development Committee Meeting this Thursday.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

PUBLIC COMMENT

William Hubbell of 301 Cavanaugh spoke regarding the televising of the public comment portion of city council meetings.

Tim Lewis of 500 S. Pine spoke in opposition to the portion of Rule #19 that requires the public to sign in in advance of public comment.

Lee Shunk, Jr. of 601 Leslie St. said he wants to make sure the meetings are televised because he has had people call him and say they saw him on T.V.

Russell Greear of 3801 Walton Dr. said he does not appreciate Council going up here and limiting peoples freedom of speech by stopping public comment.

Harold Leeman of 529 N. Francis thanked Council for modifying the language in the ordinance preventing peddling or soliciting in city parks. He asked for discussion of the Committee Report regarding the televising of public comment at city council meetings.

Lloyd Teets of 116 E. Elm said that this is the third time that Rule #19 has been revised.

Alexander Bolt of 1200 Reo Rd. thanked Councilmember Ford for amending the ordinance prohibiting peddling and soliciting in city parks. Making another change to Rule #19 puts another brick in the wall between government and the people, he said. It denies the rights of the people who arrive late at Council meetings to speak.

COMMUNICATIONS AND PETITIONS

By Councilmember Belen

That Communications and Petitions be considered as being read in full and that the proper referrals be made by President Canady

Carried unanimously

A. Notice from the State of Michigan Department of Natural Resources of intent to reissue a permit to discharge into the Grand River to the Board of Water & Light

REFERRED TO THE MAYOR AND THE COMMITTEE ON PUBLIC SERVICES

B. Letter from Robert W. Elliott of 1808 S. Pennsylvania requesting that he be allowed to hook up to the City's sewer line on a payment plan basis rather than lump-sum payment

REFERRED TO THE MAYOR

C. Letters from the following construction companies requesting that their hours of operation be extended to include nights and weekends

-Design & Build Inc.
-Causie Contracting, Inc.

REFERRED TO THE MAYOR AND THE COMMITTEE ON GENERAL SERVICES

D. Notice from the Board of Water & Light of their intent to lower the river basin above Moores Park September 7 through September 19, 1993

RECEIVED AND PLACED ON FILE

E. Letter from the Eastside Neighborhood Organization stating their opposition to SLU-04-93 filed by Dr. Douglas Wacker

REFERRED TO THE MAYOR AND THE COMMITTEE ON PHYSICAL DEVELOPMENT

F. Letter from Sandra L. Conklin of 821 Harris protesting the use of a Backhoe as a transportation vehicle by a resident in her neighborhood

REFERRED TO THE MAYOR

G. Michigan Tax Tribunal Appeals submitted by:

-Accent Leasing, Inc.
-Gannett Co., Inc.

REFERRED TO THE CITY ATTORNEY

H. Letter and Petition signed by 34 residents of the Parkdale neighborhood stating their concerns and opposition to the expansion of the Corner Kitchen Restaurant at Pennsylvania and Mt. Hope Ave.

REFERRED TO THE MAYOR AND THE COMMITTEE ON PHYSICAL DEVELOPMENT

MAYOR MAY COMMENT

Mayor Crawford, referring to the letter from Sandra Conklin, said

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

that the city has been trying to resolve this matter for some time. The individual involved was charged recently, failed to appear for arraignment, and was arrested by the Lansing Police Department early this morning. Mayor Crawford outlined his letters on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of July 19, 1993 for Review

RECEIVED AND PLACED ON FILE

B. Letters from the Mayor re:

1/ Appointment of Christine Marie D'Alecy to the Building Board of Appeals

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

2/ Appointment of H.J. Welch to the Downtown Mall Advisory Board

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

3/ Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

4/ Letter of Appreciation to Rosie Taylor

RECEIVED AND PLACED ON FILE

5/ Sale of Park Land—Tecumseh River Park

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

6/ Public Improvement V—Mall Maintenance

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

7/ Sale of Property—Priggooris Park

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

COMMITTEE REPORTS

RESOLUTION #427

THE COMMITTEE ON GENERAL SERVICES, to whom was referred the ordinance to renew Section 844.18 of the City Code, which prohibits peddling in City Parks, and which expired under a sunset provision on June 13, 1993,

REPORTS AS FOLLOWS: In response to comments made at the public hearing on this ordinance, the Committee amended out the word 'canvassing' from the version as introduced. Even though the word is defined in context in Section 844.01 to mean taking orders for merchandise, the Committee agreed with public hearing speakers that this word is readily identified with survey-taking and the gathering of petition signatures.

This amendment was the only change made by the Committee, which recommends that the ordinance be adopted.

Signed: Charles Ford
Alfreda Schmidt
Robert Brockwell

BY COUNCILMEMBER FORD:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #428

THE COMMITTEE ON GENERAL SERVICES, to whom was referred the requirement in Council Rule #19 for audience speakers to pre-register before addressing the Council,

REPORTS AS FOLLOWS: The Committee has discussed the pre-registration requirement and makes the following recommendations:

1. That gavel to gavel coverage of Council meetings on Cable Channel 28 be continued.

2. That the pre-registration requirement be kept in place and routinely enforced by ending public comment after the last pre-registered speaker concludes his or her remarks.

3. That each pre-registration list (Public Hearings, Public Comment on Action Items, and Citizen Comment on City Matters) be closed out to further speakers when the meeting reaches that part of the agenda.

4. That the Presiding Officer explain these requirements and procedures at the beginning of each Council meeting, and that an explanatory sign be displayed near the pre-registration lists inside the entrance to Council Chambers.

Signed: Charles Ford
Alfreda Schmidt
Robert Brockwell

BY COUNCILMEMBER FORD:

That the report of the Committee be adopted.

CARRIED UNANIMOUSLY

RESOLUTION #429

THE COMMITTEE ON WAYS AND MEANS, to whom was referred the request to purchase additional equipment not in the original budget,

REPORTS AS FOLLOWS: In accordance with City Council policy, the purchase of equipment not budgeted must be approved by City Council. Additional memory upgrade equipment has been requested for the Building & Code Compliance Division of Municipal and Neighborhood Development at a cost of $3,230, to be transferred from anticipated unspent funds in the Division's Miscellaneous & Operating Account.

Signed: Antonio Benavides
Robert Brockwell
Alfreda Schmidt

BY COUNCILMEMBER BENAVIDES:

That the report of Committee be approved.

CARRIED UNANIMOUSLY

RESOLUTIONS

Item #XII A-1., Recognition of Non-Profit Status for Michigan Women's Studies Association, was pulled at the request of Councilmember Ford

RESOLUTION #430

BY THE COMMITTEE ON GENERAL SERVICES

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's appointment of Gilbert A. Williams to the Cable Advisory Board for a term to expire June, 1997, is hereby confirmed.

July 22, 1993

By Councilmember Ford

Carried unanimously

RESOLUTION #431
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of Agnes Ziegler to the Senior Citizens Advisory Board for a term to expire June, 1997, is hereby confirmed.

July 22, 1993

By Councilmember Ford

Carried unanimously

RESOLUTION #432
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of James Person to the Traffic Board for a term to expire June, 1997, is hereby confirmed.

July 22, 1993

By Councilmember Schmidt

Carried unanimously

RESOLUTION #433
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

NOW, THEREFORE, BE IT RESOLVED that the Mayor's appointment of John A. Harrison to the Public Service Board for a term to expire June 1997, is hereby confirmed.

July 26, 1993

By Councilmember Brockwell

Carried unanimously

RESOLUTION #434
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Whereas, the Michigan Department of Natural Resources (DNR) Forestry Division has a grant program to promote tree care and awareness; and

Whereas, the DNR has awarded the City of Lansing a grant to promote tree care and awareness by furthering the inventory of street trees in the City; and

Whereas, the total grant being provided toward the project is $20,000; and

Whereas, the $20,804 City match will come from in kind services; and

Whereas, the Mayor recommends acceptance of this grant.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council authorizes receipt and implementation of the grant in compliance with all requisites.

By Councilmember Benavides

Carried unanimously

RESOLUTION #435
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfer be approved:

$28,000 from Est. Rev. A/C 101-000000-170001-00000
$28,000 to Cap. Imp. Prog. Bdgt. Ctrl. A/C 101-933901-992200-13001
Additional funds to acquire property at 119 W. North St. To memo account 101-933890-970000-13021.

By Councilmember Benavides

Carried unanimously

RESOLUTION #436
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Tuesday, August 3, 1993, is National Night Out, a crime prevention program designed to improve neighborhood safety by increasing communication between neighbors; and

WHEREAS, the local theme for National Night Out is 'Give Neighborhood Crime and Drugs A Going Away Party;' and

WHEREAS, the Lansing Police Department is working with Neighborhood Watch groups all over the Capital City to make this the most successful night out in the program's history;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 26th day of July, 1993, hereby encourages the People of Lansing to participate in National Night Out on Tuesday, August 3, 1993, by turning on their porch lights and participating in neighborhood activities designed to unite neighbors in the fight against crime.

By Councilmember Brockwell

Carried unanimously

ORDINANCES FOR INTRODUCTION

AMENDING CHAPTER 1042, SECTION 1042.04

WASTE WATER TREATMENT RATES

By Councilmember Lilly

That the following ordinance of the City of Lansing, Michigan providing that the Code of Ordinances be amended by

Amending Chapter 1042, Section 1042.04, for the purpose of providing for an Increase in Certain Rates and Charges for Services Furnished by the City Sewage Disposal System

Was introduced by Councilmember Brockwell, read a first and second time by its' title and referred to the Committee on Ways and Means

RESOLUTION #437
RESOLUTION SETTING PUBLIC HEARING

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

By Councilmember Lilly

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, August 9, 1993 at 7:00 P.M. in the Council Chambers, 10 Floor, City Hall, 124 W. Michigan Ave., for the purpose of considering an Amendment to Chapter 1042, Section 1042.04, for the purpose of providing for an Increase in Certain Rates and Charges for Services Furnished by the City Sewage Disposal System

Interested persons are invited to attend this public hearing

Carried unanimously

ORDINANCES FOR PASSAGE

By Councilmember Ford:

That we proceed to the passage of Ordinances.

By Councilmember Ford:

That the Ordinance when read be considered as read in its entirety.

BY THE COMMITTEE ON GENERAL SERVICES

By Councilmember Ford:

Resolved by the City Council of the City of Lansing that an Ordinance to Amend Chapter 844 of the Codified Ordinances of the City of Lansing, Michigan by readoptinq Section 844.18, for the purpose of the prohibition of Peddling, or Soliciting in City Parks, be placed on order of immediate passage.

BY THE COMMITTEE ON GENERAL SERVICES

By Councilmember Ford:

Resolved by the City Council of the City of Lansing that an Ordinance to Amend Chapter 844 of the Codified Ordinances of the City of Lansing, Michigan by readopting Section 844.18, for the purpose of the prohibition of Peddling, or Soliciting in City Parks, be now passed.

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

NAYS: None

ABSENT: None

ORDINANCE NO. 865

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 844, FOR THE PURPOSE OF READOPTING SECTION 844.18 WHICH PROHIBITS PEDDLING OR SOLICITING IN CITY PARKS.

The City of Lansing ordains:

Section 1. That Part 8, Chapter 844 of the Code of Ordinances of the City of Lansing, Michigan be amended to be read as follows:

844.18 PEDDLING OR SOLICITING IN PARKS.

(a) NO LICENSE SHALL BE ISSUED FOR PEDDLING OR SOLICITING IN ANY AREAS CONTROLLED BY THE PARKS AND RECREATION DEPARTMENT. NO HAWKING, PEDDLING OR SOLICITING SHALL BE ALLOWED, AND NO ARTICLE SHALL BE EXPOSED OR OFFERED FOR SALE OR BARTER, WITHIN ANY PARK, RECREATION AREA, PUBLIC PLACE OR BOULEVARD UNDER THE CONTROL OF THE DEPARTMENT, EXCEPT BY DEPARTMENT EMPLOYEES OR BY CONCESSIONS FOR WHICH PERMITS HAVE BEEN ISSUED.

(b) NO PERSON, WHETHER LICENSED UNDER SECTIONS 844.01 TO 844.19 OR CHAPTER 1066 OF THE STREETS, UTILITIES AND PUBLIC SERVICES CODE, SHALL SELL, HAWK, VEND, PEDDLE, SOLICIT OR OTHERWISE DISTRIBUTE ANY FOOD OR OTHER ITEMS IN THE AREA CONTAINED WITHIN THE FOLLOWING BOUNDARIES:

1. THAT PORTION OF NORTH GRAND AVENUE BETWEEN EAST SAGINAW STREET AND EAST SHIAWASSEE STREET;
2. THAT PORTION OF EAST SAGINAW STREET BETWEEN NORTH GRAND AVENUE AND NORTH CEDAR STREET;
3. THAT PORTION OF NORTH CEDAR STREET BETWEEN EAST SAGINAW STREET AND EAST SHIAWASSEE STREET; AND
4. THAT PORTION OF EAST SHIAWASSEE STREET BETWEEN NORTH GRAND AVENUE AND NORTH CEDAR STREET.

THIS PROHIBITION SHALL ALSO APPLY TO THE AREAS KNOWN AS THE CITY MARKET PARKING LOT AND MILL STREET, DURING ANY FESTIVAL, SHOW OR FAIR WHICH IS SPONSORED OR COSPONSORED BY THE CITY AND HELD IN RIVERFRONT PARK, UNLESS THE PERSON HAS FIRST OBTAINED A LICENSE THEREFOR FROM THE CITY CLERK'S OFFICE. COUNCIL MAY ESTABLISH A FEE SCHEDULE FOR SUCH LICENSES BY RESOLUTION. THE CITY CLERK SHALL OBTAIN THE APPROVAL OF THE DEPARTMENT PRIOR TO THE ISSUANCE OF THE LICENSE. IN ADDITION, THE DEPARTMENT SHALL RECOMMEND, AND COUNCIL SHALL REVIEW AND APPROVE, ANY RULES OR REGULATIONS CONCERNING THE ISSUANCE OF LICENSES, DENIAL OF LICENSES AND REVOCATION OF APPROVED LICENSES. THE LICENSES MAY BE MADE CONDITIONAL UPON LOCATION.

(c) ANY APPLICANT DENIED A LICENSE TO OPERATE WITHIN THE AREAS DESCRIBED IN SUBSECTION (b) HEREOF MAY APPEAL THE DENIAL TO COUNCIL.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by City Council.

MARILYNN SLADE, CITY CLERK

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Beal; a letter from Jack Spinner, President of Fabulous Acres Neighborhood Association regarding funding for a Park in their neighborhood

REFERRED TO THE COMMITTEES ON PUBLIC SERVICES AND WAYS AND MEANS

2/ From Councilmember Schmidt; a letter from the Maplewood Area Neighborhood Watch #317 regarding parking problems around Coscarelli's

REFERRED TO THE MAYOR AND THE COMMITTEE ON PUBLIC SAFETY

3/ From Councilmember Lilly; a letter from Advanced Hearing Aid Services in support of SLU-04-93, 121 Ferguson St.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

MAYOR'S COMMENTS

Mayor Crawford thanked the Banasches' for the beautiful dinner and party tonight preceeding the Council meeting. It was a nice

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

kick-off for this event. He announced that the City, in an attempt to preserve trees within the 30 year CSO project, has engaged the services of an Arborist, Chris Smith, of Smith Landscaping.

COUNCILMEMBER'S COMMENTS

Councilmember Beal said she was happy to have this meeting in the First Ward. She said she has received several complaints about a situation at Hunter Park. Since the elimination of the Parks Police last year the neighborhood has been experiencing severe problems at the Park with fighting and children being accosted. She has spoken with the staff at Hunter Park. They feel there are a lot more problems there since the elimination of the Parks Police. She requested a follow-up report from the Police Department to see what the impact really is from the elimination of this portion of the police department. She asked Mayor Crawford to look into the problems at Hunter Park.

Councilmember Benavides, said there are still problems between the neighborhood and Neo's over their cabaret license. The neighborhood feels that Neo's should be closed permanently. He has received a number of communications regarding this subject and would like to have the matter revisited. He believes that the Committees on Public Safety, General Services and the Mayor's Office should take this item very seriously. He was given the information that the District Office set up in Cranbrook Apartments is never open and the officer is never there. President Canady asked Mayor Crawford for an update regarding this situation as soon as possible. Mayor Crawford said work on the update will begin tomorrow and he will have the report by Thursday's Committee of the Whole meeting.

Councilmember Ford said that he has spoken to the owner of Neo's, their attorney Mr. Zavidil and the Manager of Cranbrook. He asked that when this issue is revisited the Committees go full circle and touch all bases. He announced a "Three on Three" basketball, tournament this Sunday at Walsh Park. He thanked the Banasches' for the dinner this evening.

Councilmember Brockwell asked everyone to be very careful in leaving the Park tonight. The ground is very uneven and could be unsafe. He thanked the Banasches' for dinner this evening and Ron Onufer, Karen Schmidt and the staff of Continental Cablevision for arranging the televising of tonight's meeting.

Councilmember Belen reminded her colleagues that when the cabaret license for Neo's was approved she was assured that there would be no problems with it.

Councilmember Schmidt thanked everyone who worked on making this outdoor meeting a success. She thanked Chief of Police Boles for the badge that Officer Glasscock distributed to Councilmembers earlier this evening. She urged everyone present to use caution when leaving the meeting tonight.

Council President Canady thanked the Banasches' for providing the dinner tonight. He regrets being unable to attend, but appreciates their efforts.

PUBLIC COMMENTS

Roger Wilson of 1800 Herbert St. said that the Fabulous Acres Neighborhood has been promised that a park will be developed in their area since 1984. This neighborhood group has worked very hard to make this a nicer place to live. They were told that the park was being delayed because of contamination at the site. They have since learned that there never was any contamination and feel that the city has been involved in lies and a cover-up situation. There was $52,000 in federally funded money that was to be applied to the development of their park and they feel that it has been spent in another area. They are not willing to wait any longer for a park they have been waiting 10 years for.

Ruth Heuer of 111 Garden St. said that the Fabulous Acres Neighborhood group is in possession of documentation regarding the development and funding for this park that the City cannot seem to find.

Larry Heuer of 119 Garden St. said that his mother has been trying to get this park built since he was a kid. He is now fully grown and has kids of his own living in the same neighborhood. He wants this park built for them.

Rudy Barnhill of 1705 Martin spoke in support of the park for Fabulous Acres neighborhood.

Andrew Anthos, no address given, spoke regarding his D.O.M.E. project. He asked Mayor Crawford for a written endorsement of his project.

Tim Lewis of 500 S. Pine told everyone that they have a chance to speak on August 3, 1993 at the primary election. Councilmember Belen, he said, has been on Council for 37 years.

Lee Shunk, Jr. of 601 Leslie said that the public nuisance ordinance needs to be amended in terms of the provisions for the cutting of tall grass and weeds. It needs to include government property too. The City should not require citizens to do something it does not require of itself, or, other governmental entities.

Russell Greear of 3801 Walton Dr. said he has seen many campaign signs in the right of way. The City needs to go up there and start enforcing the law about these signs. The City also needs to do something about all of the roaches at the Senior Citizens Complex on Washington Ave.

Gerret Houson of 1511 S. Washington asked what has happened to the finishing and buffering of the parking lot on the Diamond Reo Property. He wants to expand his business and needs Council to make a decision on this property.

Paget Maynard of 902 W. Shiawassee said that he believes in parks for kids to play in. This community has waited all these years for their park. This shows that it is time for a change. Taxpayers should be able to look at the way candidates spend money on their campaign and see how their tax dollars will be spent.

Tom Shields of Riley spoke regarding the previously unobstructed view of the capital building.

Alexander Bolt of 1230 Reo Rd. noted that August 3, 1993, National Night Out Against Crime is also the date of the Primary election in Lansing. He urged everyone to vote. Statistics show that one thing that relates directly to crime is the economic climate. To improve the economy we need to get government off the backs and out of the pockets of the people.

Michael Heddin of 1812 Alpha spoke regarding his letter on tonight's agenda regarding the expansion of the Corner Kitchen restaurant. This neighborhood does not want another parking lot going in. Councilmember Belen suggested that a Building Inspector be sent out to cite these people. They have done this same type of thing in the past.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Steve Gobel of 1808 Alpha spoke regarding the expansion of the Corner Kitchen and said that he is afraid that this property owner will go ahead with the expansion regardless of whether or not he has the proper permits and pay the consequences later. His property would be the most affected by this expansion, and he would like Council to keep on top of this.

Harold Leeman of 529 N. Francis asked Councilmember Brockwell if the Rental Property Registration Program printout had been updated. Where, he asked, did the issue of Prigooris Park go?

Lloyd Teets of 116 E. Elm St. urged the residents to vote the incumbents out in the August 3, 1993 Primary election.

Beverly Miller of 413 Pearl said there is a suspicious looking plant growing on the Riverwalk at the Turner St. intersection. The grass at the North end of High St. needs to be cut. Neo's should not be closed because of Cranbrook Apartments. Cranbrook has police calls about fights, and loud music at their location too. These kids need someplace to go and Council should give Neo's another chance.

Thelma Osteen of 416 Beaver said they need the weeds cut at her end of Cedar and Pearl Streets. She thanked Councilmember Belen for always being responsive to her calls and willing to help with her problems. She criticized Councilmember Beal for failing to attend their Neighborhood meetings. Councilmember Beal responded that she cannot attend their meetings because of the excessive cigarette smoke.

Ken Vaughan of 114 Garden St. said he does not agree with the sale of city parks property.

ADJOURNED 11:15 p.m.
Marilynn Slade, City Clerk

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, August 2, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
August 2, 1993

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Canady

PRESENT: Councilmembers Beal (left 9:30), Belen, Benavides, Brockwell, Ford, Lilly, Schmidt

ABSENT: Council President Canady

The Invocation and Pledge of Allegiance were led by Councilmember Lilly

CONSIDERATION OF LATE ITEMS

By Councilmember Lilly

To accept the following under suspension of the rules:

1/ From Councilmember Lilly; a request that Public Hearing VI A. be pulled from the agenda, but that people present to speak regarding this issue be allowed to make their comments

2/ From Councilmember Lilly; a request that item XII C-4, Resolution approving the Seven Block Area Development Plan, be pulled from the agenda

3/ From Councilmember Lilly; a substitute for Item XIV A-1, Ordinance approving the Seven Block Neighborhood Development Plan

4/ From Councilmember Lilly; a request that a duly published Public Hearing, in consideration of the sale of City owned property in the 300 Block of Baker Street, be added to the agenda as Item IV B.

5/ From Councilmember Benavides; three transfer of funds

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. In Consideration of an Amendment Adding a New Chapter, Chapter 1217, To Provide for the Use of Community Development Block Grant Funds to Prevent and Eliminate Conditions of Blight and Deterioration

Harold Leeman of 529 N. Francis asked for an explanation of Councilmember Lilly's suspension items. Why was this public hearing pulled? Councilmember Lilly responded that when the public hearing was set enough time was not allowed to give the required public notice. This ordinance relates to the way funds from Community Development Block Grants could be used in certain areas. It would allow the city to sell a percentage of HUD renovated homes to a higher income bracket than previously allowed.

Lloyd Teets of 116 E. Elm said that we have an opportunity to correct the language in this ordinance to give it better meaning. He stated that this ordinance is poorly written. He is opposed to allowing people with higher incomes to purchase houses that have been renovated with C.D.B.G. funds.

Rick Kibbey of 300 Shepard St. said he is not certain what this ordinance is supposed to do. Does it change procedural issue on the Seven Block Area, or, does it change the use of CDBG funds? Community Development Block Grant funds are in high demand. There is more need than funds available. The ordinance, he said, needs more specificity. It opens the door to the use of CDBG funds extremely wide. He asked for a time and date line for the passage of this ordinance.

Councilmember Lilly said this ordinance is in response to an audit of the City's transactions with HUD. In the course of conducting the audit HUD found the City to be in non-compliance with some of its' guidelines and suggested this ordinance as a way to place into the code the definition of what constitutes a blighted district. HUD has agreed to lift the restrictions on the audit if we adopt this ordinance. That is all this ordinance does. It does not affect the Seven Block Area at all.

Debra Mulcahey of S. Genesee Dr. said that Council wants to take the limited CDBG funds available for low-income property and allow upper income people to use them. Developers who purchase these houses and renovate them for resale must sell them at a marketable price. If they price the houses too high and are then unable to sell them, they must face the consequences of their own actions. If this program had been administrated properly in the first place, there would not be a problem between HUD and the City.

John Duley, President of the Greater Lansing Housing Coalition asked what the ordinance allows the City to do with CDBG monies and who would be the recipient of this action.

Sid Worthington, Interim Director of the Department of Planning and Neighborhood Development said that this situation revolves around the misinterpretation of federal guidelines. These are adjusted every year through the HUD auditing process. They were mistaken in the understanding that 70% of these properties could be sold to low and moderate income levels and 30% to people who do not meet these guidelines. HUD has determined that they may only sell to people who do not fall within the low to moderate income guidelines unless this area is designated as a blighted district.

Councilmember Belen stated that the object of this ordinance is to clear up an error that occurred before the current administration took office and to protect CDBG money.

Beverly Miller of 413 Pearl said she hopes this ordinance does not ask the City to violate HUD guidelines. She is discouraged by the fact that the City uses the North end of town to secure these funds and then spends them to build roads rather than to renovate homes.

Ken Vaughan of 114 Garden St. asked for the definition of "low to moderate income". The City should require the purchasers of these houses to live in them for five years. He is opposed to this

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

ordinance because he is afraid that some developer will purchase these houses, fix them up, and then rent them out. He would like a copy of the document from HUD requesting that the city adopt this ordinance. He requested that he be given the name and address of the individual that the city is dealing with at HUD. Mr. Worthington informed Mr. Vaughan that the low to moderate income level is $38,000 for a family of four.

B. In consideration of the sale of City Owned Vacant Land on the North Side of the 300 Block of Baker St.

Lloyd Teets of 116 E. Elm said that the City has to sell this property at bargain basement prices because they parceled the property out. He had hoped that the sale of these properties would have created new employment possibilities.

Richard Rolf of 3426 Tuscany, Grand Rapids, MI, the new owner of Hagar Fox, said that he expects to double his business in the next five years which will increase employment in the City. He plans to develop 2 of the 4 acres and put up a 2004 square foot building.

Del Maynard of 2017 Culver said the sale of this property to Hagar Fox is a good deal for the city. He has had business dealings with them through his plumbing and air conditioning business. They are a good company and it will be good to get this property back onto the tax rolls. The City must concentrate on getting residents back into the downtown area. If we do this, then businesses will follow to address the needs of the residents.

PUBLIC COMMENT

Harold Leeman of 529 N. Francis asked if the money from the Magic Johnson Golf Tournament fund raiser had come in yet. He asked that the Council make sure that the rental property registration program is updated on a timely basis. He asked that the Claim of Michael Godfrey be pulled and that Councilmember Ford makes sure that he did not fall through the cracks in the Human Relations and Community Services Department. He wants to make sure that Bath Township residents are notified of the Public Hearing for the sale of Pregooris Park. Council, he said, should make sure everything is done correctly on the Seven Block Area and that this issue does not come back to haunt them.

Lloyd Teets of 116 E. Elm said that the rental property registration program is an ill conceived plan. After all of this time all rental housing should be up to code, but, he does not believe that it is. He protested the portion of the Seven Block Development ordinance that deals with the purchase of the Union Baptist Church.

Russell Greear of 3801 Walton Dr. protested the resolution placing language for the sale of a portion of Tecumseh Park on the November Ballot.

Eric Clark of 6070 S. Logan spoke in support of the rezoning of 6066 and a portion of 6070 S. Dr. Martin Luther King, Jr. Blvd./Logan Street. He owns the property and would like to develop it before winter.

Del Maynard of 2017 Culver spoke in support of the resolution approving the sale of Pregooris Park.

Hulon T. Benson, no address given, spoke in support of the Seven Block Development Area ordinance. He praised Councilmembers for their work on this project.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Canady

Carried unanimously

A. Application for permit for the sale of beer and wine filed by Capital City Riverfest, Inc. for Riverfest 93 to be held September 3-6, 1993

REFERRED TO THE MAYOR AND
THE COMMITTEE ON GENERAL SERVICES

B. Notice from the Michigan Public Service Commission of a Hearing for the Customers of Michigan Bell Telephone Co. Case No. U10375 to be held September 1, 1993 at 9:00 A.M.

RECEIVED AND PLACED ON FILE

C. Letter from the Greater Lansing Convention/Exhibition Authority submitting their Interim Financial Statement for year ending June 30, 1993

REFERRED TO THE MAYOR AND
THE COMMITTEE ON WAYS AND MEANS

D. Letter from Vera Watts P.O. Box 11099, Lansing, MI, 48901 regarding her request for a street name change to the State of Michigan Department of Transportation

REFERRED TO THE MAYOR AND
THE TRI-COUNTY REGIONAL PLANNING COMMISSION

MAYOR MAY COMMENT

Mayor Crawford spoke regarding the update on the Multi-family Recycling Program. He hopes to get these rules in place quickly so that they can take action on this. The grant acceptance from the National Office on Drug Control Policies will provide the city with $50,000 in funds with which to establish additional Police Substations in the city. He is asking that this resolution be passed tonight.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. **RESOLUTION #438**
August 2, 1993

President Canady and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Bradley A. Bjorling

Sincerely,
Marilynn Slade, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

1. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of July 26, 1993 for Review

RECEIVED AND PLACED ON FILE

2. Letter from the City Clerk submitting Board of Ethics Opinions No. 15-17 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1/ Letter of Appreciation to Jan Budden

RECEIVED AND PLACED ON FILE

2/ Letter of Appreciation to Jo Flaherty and Cleophus Boyd

RECEIVED AND PLACED ON FILE

3/ CSO Tree Report

RECEIVED AND PLACED ON FILE

4/ Submitting a Letter from Donald Pickard regarding Completion of the River Trail

RECEIVED AND PLACED ON FILE

5/ Recycling Rules for Review and Appropriate Action

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

6/ TO: Council President Mark Canady and
City Councilmembers
FROM: James A. Crawford, Mayor
DATE: August 5, 1993
SUBJ: Grant Acceptance, National Office on Drug Control Policies

The attached resolution is being submitted with my concurrence for your review and appropriate action.

By Councilmember Benavides

That the Council accept the recommendations of the Mayor and adopt the following two resolutions

Carried unanimously

RESOLUTION #439
BY THE COMMITTEE ON WAYS AND MEANS:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Federal funds became available through the State Office of Drug Control Policy for Street Level Enforcement in the Spring of 1990; and

WHEREAS, the City, as the grantee, submitted an application for Neighborhood Police Department Network Expansion Program; and

WHEREAS, recently the City has been advised that a grant in the total amount of $66,146.00 (Federal share $49,607.00, local match $16,539.00) has been approved; and

WHEREAS, the Matching funds have been reserved in the R.E.A.C.H. asset seizure account, and that these funds will be utilized for the match of $16,539.00; and

WHEREAS, the Mayor has recommended acceptance of the grant;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approve acceptance of Federal Grant Funds in the amount of $66,146.00 for a Neighborhood-Police Department Network Expansion Program.

By Councilmember Benavides

Carried unanimously

RESOLUTION #440
BY THE COMMITTEE oN WAYS AND MEANS:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfer be approved:

$16,539 from Forf. Fd. Fd. Bal.	265-0-390001-0
$16,539 to Forf. Bdgt. Ctrl.	265-343253-992200-0

(A/C 265-343254-991273-0: Op. Transfer-Grant Match)

Submitted by:
Douglas Rubley, Interim Finance Director

I hereby certify that funds are available.

By Councilmember Benavides

Carried unanimously

COMMITTEE REPORTS

RESOLUTION #441
THE COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the final version of the ordinance to adopt the Seven Block Area Development Plan,

REPORTS AS FOLLOWS: The Committee recommends that the ordinance be adopted.

Signed: Richard J. Lilly, Chair
Mark H. Canady
Lucile E. Belen

August 2, 1993

BY COUNCILMEMBER LILLY:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #442
Z-2-93, 6066 and part of 6070 S. Dr. Martin Luther King Jr. Blvd./Logan Street

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of the rezoning petition Z-2-93, 6066 and part of 6070 S. Dr. Martin Luther King Jr. Blvd./Logan Street to be rezoned from "A" Residential, "F" Commercial and "J" Parking Districts to "F" Commercial District

REPORTS AS FOLLOWS:

That the petition be denied as filed. Further, the Committee recommends that the revised ordinance rezoning the property from "A" Residential, "F" Commercial and "J" Parking Districts to "A" Residential and "F" Commercial Districts be approved.

SIGNED: RICK LILLY
Lucile Belen
Mark H. Canady
COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Lilly:

Carried unanimously

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

RESOLUTION #443
Z-3-93, 3104 South Cedar Street

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of the rezoning petition Z-3-93, 3104 South Cedar Street to be rezoned from "D-1" Professional Office and "E-2" Local Shopping Districts to "F" Commercial District

REPORTS AS FOLLOWS:

That the request for said rezoning be approved.

SIGNED: RICK LILLY
Lucile Belen
Mark H. Canady
COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Lilly:

Carried unanimously

RESOLUTION #444
Z-4-93, 619 East Michigan Avenue

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of the rezoning petition Z-4-93, 619 East Michigan Avenue, to be rezoned from "H" Light Industrial to "G-1" Business District

REPORTS AS FOLLOWS:

That the request for said rezoning be approved.

SIGNED: RICK LILLY
Lucile Belen
Mark H. Canady
COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Lilly:

Carried unanimously

RESOLUTION #445
BY THE COMMITTEE ON PUBLIC SERVICES

TO WHOM WAS REFERRED the request of the property owner at 1808 South Pennsylvania Avenue to be provided a payment plan in order to connect this property into the City of Lansing sewer system.

REPORTS AS FOLLOWS: The cost of this sewer connection is $3,500. The owner of the property can not afford the entire cost at this time. Discussion with Public Service Staff indicates that this matter can be handled administratively. The Committee hereby refers this matter to the Mayor for his review and appropriate disposition.

SIGNED

BY COUNCILMEMBER BROCKWELL

That the report of the committee be adopted.

CARRIED UNANIMOUSLY

August 2, 1993

RESOLUTION #446
THE COMMITTEE ON PUBLIC SERVICES, whom reviewed the progress of the Rental Housing Registration Program with the Code Compliance Manager,

REPORTS AS FOLLOWS; The Rental Registration Program is now six years old. During this time 7,700 buildings containing roughly 24-25,000 living units. It is estimated that there are approximately 2,500 unregistered properties. New registrations are averaging 8-10 per week.

The Code Compliance Office is trying to put together an updated and comprehensive listing of all properties with the intent of computerizing this function. They are currently in the process of obtaining the necessary software and training employees. They hope to be on line soon

The single biggest obstacle to increasing time spent on inspections is the number of weed, trash, and paint complaints required to be handled. The Committee requests the Mayor and Administration to research possible alternatives in regard to the violations listed.

SIGNED: Bob Brockwell
Tony Benavides
Ellen Beal
Committee on Public Services

BY COUNCILMEMBER BROCKWELL:

That the Report of Committee be received.

CARRIED UNANIMOUSLY

August 2, 1993

RESOLUTION #447
THE COMMITTEE ON PUBLIC SAFETY, to whom was referred the petitions from members of the Maplewood Neighborhood Watch requesting several on street parking restrictions and turn prohibitions on Lincoln and Rockford caused by congestion from overflow parking at Coscarelli's,

REPORTS AS FOLLOWS: The Committee heard testimony from area residents and the owners of Coscarelli's about efforts being made to control the overflow parking situation. The worst cases are on Wednesday evenings during the popular 'patio parties', when part of Coscarelli's parking area is fenced off for the outdoor party. The bar has hired private security guards to direct traffic to legal parking areas. Enforcement of existing parking regulations is being aggressively performed by LPD and the Parking System's enforcement personnel. Transportation Engineer David Berridge explained the steps he has taken under his emergency authority to alleviate problems reported by residents. The Committee is satisfied that appropriate actions are being taken by the Administration, and will hold the petitions as pending matters. The Committee requests a full report from the Administration in four weeks on the effectiveness of the actions taken. This report is for information only, and no Council action is required at this time.

Signed: Alfreda Schmidt
Tony Benavides
Charles Ford

August 2, 1993

BY COUNCILMEMBER SCHMIDT:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTIONS

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Item XII A-1, Claim Denial of Michael Godfrey, submitted By The Committee on General Services, was pulled from the agenda at the request of Councilmember Ford

RESOLUTION #448
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Gertrude Brown filed a claim against the City in the amount of $257.50 in protest of a special assessment for a trash removal from her rental property located at 708 East Park Terrace; and

WHEREAS, after investigation and analysis, the City Attorney's staff recommendation was to deny the claim, and the Claims Review Committee denied the claim on May 4, 1993; and

WHEREAS, the claimant appealed the denial to the City Council, and the claim and the legal recommendation were reviewed by the Committee on General Services; and

WHEREAS, the claimant appeared before the Committee, furnishing testimony and evidence in support of the claim; and

WHEREAS, under the particular circumstances of this situation, the Committee finds that the City has no legal obligation to the claimant but recommends that the claim be settled by offering to remove the City administrative charge of $190.00 from the special assessment;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby offers to settle the claim of Gertrude Brown by reducing the trash removal special assessment to $67.50; and

BE IT FURTHER RESOLVED the Clerk is requested to forward a copy of this resolution to the City Attorney for action; and

BE IT FURTHER RESOLVED if the claimant does not contact the City Attorney to indicate acceptance of this offer by 5:00 PM on Friday, August 20, 1993, this claim shall be considered denied.

August 2, 1993

By Councilmember Ford

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Ford, Lilly, Schmidt

NAYS: Councilmember Brockwell

ABSENT: Councilmember Canady

RESOLUTION #449
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Sheryl Gates filed a claim against the City in the amount of $1,323.86 for reimbursement of damages to personal property resulting from a February 7, 1993, sewer main back up into the basement of her residential property at 536 Armstrong Road; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the claim and the staff recommendation were reviewed by the Committee on General Services; and

WHEREAS, the Committee determined that the City had no prior knowledge of a blockage in the sewer main, and none of the exceptions to governmental immunity apply to the circumstances of this incident; and

WHEREAS, the Committee recommends that the claim be denied;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to deny the claim of Sheryl Gates; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

By Councilmember Ford

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Brockwell, Ford, Lilly

NAYS: Councilmembers Benavides, Schmidt

ABSENT: Councilmember Canady

RESOLUTION #450
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Women's Studies Association has requested a resolution of recognition as a non-profit organization serving the Lansing community in order to qualify for a gaming license from the Michigan Lottery Bureau; and

WHEREAS, the City Attorney has reported that, based on a review of the documentation submitted, the Association qualifies as a non-profit organization;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby recognizes the Michigan Women s Studies Association as a non-profit organization serving the Lansing community.

August 2, 1993

By Councilmember Ford

Carried unanimously

RESOLUTION #451
BY COUNCILMEMBER CHARLES FORD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Student Educational Fund has requested non-profit status recognition from the Lansing City Council; and

WHEREAS, the City Attorney has reviewed the appropriate documents and by-laws and has determined that the Michigan Student Educational Fund qualifies as a non-profit corporation;

NOW, THEREFORE, BE IT RESOLVED the City Council of the City of Lansing hereby recognizes the Michigan Student Educational Fund as a non-profit organization.

August 2, 1993

By Councilmember Ford

Carried unanimously

RESOLUTION #452
By Councilmember Lilly:

WHEREAS, on November 4, 1986, the voters of the City of Lansing authorized the sale of property commonly known as Priggooris Park which is located in Bath Township and consists of 263 acres

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

of land; and

WHEREAS, the property as been appraised and is being offered for sale at the appraised value; and

WHEREAS, the Michigan Wildlife Habitat Foundation has offered to purchase the Easterly 183 acres at the appraised value; and

WHEREAS, there are other interested parties wishing to purchase the Westerly 80 acres at the appraised value.

NOW, THEREFORE BE IT RESOLVED, by the City Council of the City of Lansing that a public hearing be set for Monday, August 16, 1993, at 7 p.m. in the City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of considering the sale of the 263 acres of the property commonly known as Priggooris Park in Bath township, more particularly described as:

The East ½ of the Southeast ¼ of Section 20, T5N, R1W, Bath Township, Clinton County, Michigan; Also the Southwest fractional ¼ of Section 21, T5N, RIW, Bath Township; except a parcel of land 300 feet East and West by 400 feet North and South out of the Northeast corner thereof. Also a parcel of land in Bath Township described as beginning at a point 2.25 chains West of the East ⅛ post between Sections 21 and 28, T5N, R1W, thence North 22-½ degrees East 2.43 chains, North 1 degree East 3.23 chains, North 3 degrees West 1.49 chains, North 81 degrees West 1.21 chains, North 24 degrees West 1 chain, North 2 degrees West 3.78 chains, North 30 degrees West 1.31 chains, North 60 degrees West 2.20 chains, North 68-½ degrees West 2.34 chains, North 55 degrees West 1.08 chains, North 33 degrees West .86 chains, North 15 degrees West 1.09 chains, North 44 degrees West 1.75 chains, North 68 degrees West .94 chains, South 33 degrees West 1.25 chains, South 16-½ degrees West 2.02 chains, South 10 degrees West 4.06 chains, South 61-½ degrees West 2.83 chains, North 15 degrees West 3.25 chains, South 82-½ degrees West 3.23 chains, South 13.15 chains, East 17.75 chains to point of beginning.

By Councilmember Lilly

Carried unanimously

RESOLUTION #453
ACT-47-92
1913 Tecumseh River Drive

By Councilmember Rick Lilly

Resolved by the City Council of the City of Lansing:

WHEREAS, the City of Lansing is the owner of real property described as:

Beginning at a point South 53 degrees 07 minutes 00 seconds West 10 feet from the Southerly corner of Lot 19 of River Forest South Plat, located in part of Section 5, T4N, R2W, City of Lansing, Ingham County, Michigan, thence South 36 degrees 53 minutes 00 seconds East parallel with the Westerly side of said Lot 19 a distance of 26.00 feet; thence South 53 degrees 07 minutes 00 seconds West 134.33 feet, thence North 38 degrees 55 minutes 00 seconds West 19.00 feet; thence North 53 degrees 07 minutes 00 seconds East 65.00 feet; thence North 36 degrees 53 minutes 00 seconds West 7.00 feet; thence North 53 degrees 07 minutes 00 seconds East 70 feet to the point of beginning; said parcel containing 3048 square feet more or less; said parcel subject to all easements and restrictions if any; and

WHEREAS, the above described property lies within the boundary of Tecumseh River Park; and

WHEREAS, a value of Six hundred 00/100 dollars (600.00) has been established as the fair market value of the property; and

WHEREAS, Emily Z. Tabuteau is requesting to purchase this property, which is located at the rear of her home at 1913 Tecumseh River Drive, Lansing, Ingham County, Michigan; and

WHEREAS, it is in the best interest of the City to engage in such sale for the reason that Emily Z. Tabuteau's garage encroaches onto the park property;

NOW THEREFORE BE IT RESOLVED, by the City Council of the City of Lansing that the proposition to sell said land and execute a conveyance therefor be submitted to the electors of the City of Lansing for approval as required by Sections 8-403.6 of the Charter of the City of Lansing, and 208.10 of the Codified Ordinances of Lansing, at a special City election in conjunction with the November 2, 1993 General Election;

BE IT FURTHER RESOLVED, that said proposal be submitted to the electors of said City upon the voting devices in manner and form as follows:

By Councilmember Lilly

Carried unanimously

CITY OF LANSING
PROPOSAL B
SALE OF
A PORTION OF TECUMSEH RIVER PARK PROPOSITION

"Shall the City of Lansing be authorized to sell a portion of Tecumseh River Park, which portion is legally described as:

Beginning at a point South 53 degrees 07 minutes 00 seconds West 10 feet from the Southerly corner of Lot 19 of River Forest South Plat, located in part of Section 5, T4N, R2W, City of Lansing, Ingham County, Michigan, thence South 36 degrees 53 minutes 00 seconds East parallel with the Westerly side of said Lot 19 a distance of 26.00 feet; thence South 53 degrees 07 minutes 00 seconds West 134.33 feet, thence North 38 degrees 55 minutes 00 seconds West 19.00 feet; thence North 53 degrees 07 minutes 00 seconds East 65.00 feet; thence North 36 degrees 53 minutes 00 seconds West 7.00 feet; thence North 53 degrees 07 minutes 00 seconds East 70 feet to the point of beginning; said parcel containing 3048 square feet more or less; said parcel subject to all easements and restrictions if any;

for the sum of not less than Six hundred and 00/100 Dollars ($600.00), said sum being the approximate fair market value as appraised by the City Assessor, plus all related closing costs?"

Yes ( )
No( )

BE IT FURTHER RESOLVED, that the City Clerk be and is hereby directed to prepare sufficient ballots to supply the demand for ballots including absent voters' ballots, as above set forth;

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

BE IT FURTHER RESOLVED, that this resolution containing the above proposition, together with the full legal description of said property, be posted in a conspicuous place in each polling place on Election Day in the City of Lansing; and

BE IT FINALLY RESOLVED, that the City Clerk cause a true copy of this resolution to be published twice in a daily newspaper published and circulated in the City of Lansing and that such publication be at least ten (10) days prior to the date upon which said proposal is to be voted upon as herein provided.

RESOLUTION #454
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor s appointment of Robert P. Busby to the Historic District Commission for a term to expire June, 1996, is hereby confirmed.

August 2, 1993

By Councilmember Lilly

Carried unanimously

Item XII C-4, Resolution for Approval of the Adoption of the Seven Block Area Development Plan submitted by the Committee on Physical Development, was pulled from the agenda at the request of Councilmember Lilly

RESOLUTION #455
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the proposed appointment of Kevin Lamiman as the Communications Media Representative on the Ingham County/-City of Lansing Community Corrections Advisory Board, to fill the vacancy caused by the resignation of Sharon Kellogg, is hereby approved.

August 2, 1993

By Councilmember Schmidt

Carried unanimously

RESOLUTION #456
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Ingham County/City of Lansing Community Corrections Advisory Board has submitted the FY93-94 Application for Funds for review and approval by this Council prior to submission to the Michigan Office of Community Corrections; and

WHEREAS, the Committee on Public Safety has reviewed the application with the CCAB manager and has recommended Council approval;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the Ingham County/City of Lansing Community Corrections Advisory Board application to the Office of Community Corrections, Michigan Department of Corrections, for renewal of the CCAB grant covering October 1, 1993, through September 30, 1994; and

BE IT FURTHER RESOLVED the Clerk is directed to send copies of this resolution to the CCAB and to the Ingham County Board of Commissioners.

August 2, 1993

By Councilmember Schmidt

Carried unanimously

RESOLUTION #457
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of Armida Valdez to the Police Commissioners for a term to expire June, 1997, is hereby confirmed.

August 2, 1993

By Councilmember Schmidt

Carried unanimously

RESOLUTION #458
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of Jo Anna Trierweiler to the Board of Fire Commissioners for a term to expire June, 1997, is hereby confirmed.

August 2, 1993

By Councilmember Schmidt

Carried unanimously

RESOLUTION #459
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the Mayor's reappointment of Russell Shealthelm to the Board of Fire Commissioners for a term to expire June, 1997, is hereby confirmed.

August 2, 1993

By Councilmember Schmidt

Carried unanimously

RESOLUTION #460
PUBLIC IMPROVEMENT V

RESOLVED, by the City Council of the City of Lansing that the supplementary special assessment rolls M9201 and M9202 for maintenance districts and assessments as follows:

DISTRICT M9201
Beginning at the intersection of N. Capitol and W. Shiawassee, E. on Shiawassee (S. side only) to N. Grand Avenue, S. on Grand Avenue (W. side only) to Lenawee Street, W. on Lenawee (N. side only) to S. Capitol Avenue, N. on Capitol Avenue (E. side only) to point of beginning; also Washington Square from Shiawassee (both sides) S. to Lenawee Street; also the following East and West Streets from Capitol Avenue to Grand Avenue (both sides) Ionia, Ottawa, Michigan Avenue, Allegan, Washtenaw and Kalamazoo.

Properties Fronting on the Mall Estimated Cost: $60,060.00
Actual Cost: $58,684.27 (includes a 50% credit of vendor revenue)
Difference—$1,375.73 less
Properties Fronting on the Side Streets Estimated Cost: $67,483.00
Actual Cost: $68,585.50 (includes a 50% credit of vendor revenue)
Difference—$1,102.50 increase

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

DISTRICT M9202
Beginning at the intersection of N. Grand Avenue and E. Shiawassee, E. on Shiawassee (S. side only) to N. Cedar Street, S. on Cedar Street (W. side only) to Kalamazoo Street, W. on Kalamazoo (N. side only) to the intersection of S. Grand Avenue, N. on Grand Avenue (E. side only) to point of beginning; also Michigan Avenue (both sides) from Grand Avenue to Cedar Street; also Museum Drive (W. side only) from Michigan Avenue South six hundred eighty (680) feet; also River Street (both sides) beginning at the intersection of Kalamazoo Street to the intersection of Washtenaw Street; also S. Grand Avenue (E. side only) from Lenawee St. to Kalamazoo St.

Estimated Cost: $36,142.00
Actual Cost: $38,468.00
Difference—$2,326.00 increase

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of difference as shown in said supplementary roll and collect all unpaid tax as shown on said role on or before the 30th day of October, 1993.

By Councilmember Benavides

Carried unanimously

RESOLUTION #461
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Ordinance #681 adopted by the Lansing City Council on July 9, 1984, approved the installation of a neighborhood park in the Fabulous Acres neighborhood as part of the Physical Development Plan for Capital Neighborhood Development Area Number 4; and

WHEREAS, due to concerns of possible soil contamination the development of this park was never initiated and the funds appropriated have lapsed; and

WHEREAS, the Public Service Department indicates that all soil contamination concerns relative to the placing of a park at the designated site will be alleviated by the end of calendar year 1993; and

WHEREAS, the Public Service Committee believes the City Council should uphold the promise made in Ordinance #681 of 1984.

NOW, THEREFORE, BE IT RESOLVED, that the Lansing Parks and Recreation Department is requested to review the original plans and provide an updated cost figure for installing this park; and

BE IT FURTHER RESOLVED, that this matter is hereby referred to the Committee on Ways and Means for review of the updated costs and for the designation of funds.

August 2, 1993

By Councilmember Benavides

Carried unanimously

RESOLUTION #462
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has recommended the appointment of CHRISTINE MARIE D'ALECY to the Building Board of Appeals; and

WHEREAS, in conformance with Council policy the Committee interviewed MS. D'Alecy and recommended that her appointment be confirmed;

NOW, THEREFORE, BE IT RESOLVED the appointment of Christine Marie D'Alecy to the Building Board of Appeals is hereby confirmed. Term will expire June, 1997.

August 2, 1993

By Councilmember Benavides

Carried unanimously

RESOLUTION #463 FY 1993-94
BY THE COMMITTEE ON WAYS AND MEANS:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

$10,000 from Gen. Fd. Est. Rev. 101-0-170001-0
(from A/C 101-0-675003-0)
$10,000 to Pks & Rec. Bgt. Ctrl. 101-783860-992200-0
(Leisure & Special Recreation Services/Community Centers A/C 101-783831-741000-90001 ($5,000) A/C 101-783831-743000-0 ($5,000))

$120,000 from Gen. Fd. Est. Rev. 101-0-170001-0
(A/C 101-0-673500-0: Sale of Land)
$120,000 to Cap. Imp. Prog. Bgt. Ctrl.
101-933901-992200-13001
(A/C 101-933690-974100-13080: D. Reo Road Constr.)

Submitted by:
Cleophus Boyd, Jr., Executive Assistant to the Mayor

By Councilmember Benavides

Carried unanimously

RESOLUTION #464 FY 1992-93
BY THE COMMITTEE ON WAYS AND MEANS:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfer be approved:

$7,459 from Gen. Fd. Est. Rev. 101-0-170001-0
(A/C 101-0-651300-0)
$7,459 to Cap. Imp. Prog. Bgt. Ctrl.
101-933901-992200-13001
(A/C 101-933890-970000-13023: Ballfield Improvements)

Submitted by:
Cleophus Boyd, Jr., Executive Assistant to the Mayor

By Councilmember Benavides

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

By Councilmember Lilly:

That we proceed to the passage of Ordinances.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

By Councilmember Lilly:

That the Ordinance when read be considered as read in its entirety.

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Lilly:

Resolved by the City Council of the City of Lansing that an Ordinance to Add a New Chapter, Chapter 1222 to the Codified Ordinances of the City of Lansing, Michigan to Provide for, subject to the availability of Financing, the Adoption of Strategies for the Implementation of the Seven (7) Block Neighborhood Development Plan and the Adoption of the Seven (7) Block Neighborhood Development Plan Itself and the Procedures for Monitoring the Implementation of the Seven (7) Block Neighborhood Development Plan, be placed on order of immediate passage.

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Lilly:

Resolved by the City Council of the City of Lansing that an Ordinance to Add a New Chapter, Chapter 1222 to the Codified Ordinances of the City of Lansing, Michigan to Provide for, subject to the availability of Financing, the Adoption of Strategies for the Implementation of the Seven (7) Block Neighborhood Development Plan and the Adoption of the Seven (7) Block Neighborhood Development Plan Itself and the Procedures for Monitoring the Implementation of the Seven (7) Block Neighborhood Development Plan, be now passed.

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Ford, Lilly, Schmidt

NAYS: None

ABSENT: Council President Canady

By Councilmember Lilly

That this ordinance being necessary for the immediate preservation, for the public peace, health or safety shall take effect upon its' passage

Carried unanimously

ORDINANCE NO. 866

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, FOR THE PURPOSE OF ADDING A NEW CHAPTER 1222 TO PROVIDE FOR, SUBJECT TO THE AVAILABILITY OF FINANCING, THE ADOPTION OF STRATEGIES FOR THE IMPLEMENTATION OF THE SEVEN (7) BLOCK NEIGHBORHOOD DEVELOPMENT PLAN; THE ADOPTION OF THE SEVEN (7) BLOCK NEIGHBORHOOD DEVELOPMENT PLAN ITSELF AND THE PROCEDURES FOR MONITORING THE IMPLEMENTATION OF THE SEVEN (7) BLOCK NEIGHBORHOOD DEVELOPMENT PLAN.

The City of Lansing ordains:

Section 1. That a new Chapter 1222 shall be added to the Codified Ordinances of the City of Lansing, Michigan, to read as follows:

1222.1 **SEVEN BLOCK DEVELOPMENT AREA.** PURSUANT TO 1945 P.A. 344 AS AMENDED BY 1968 P.A. 189 AND 1969 PA 173, A SEVEN BLOCK DEVELOPMENT AREA (DEVELOPMENT AREA) WAS CREATED BY ORDINANCE 811 (1989), AND DESCRIBED AS FOLLOWS:

PART I. BLOCKS 7, 8, 9, 10, AND 11 BUSH/BUTLER/SPARROW SUBDIVISION COMMENCING AT THE INTERSECTION OF THE CENTER LINE OF BUTLER BOULEVARD AND ALLEGAN STREET, THENCE SOUTHERLY ALONG CENTER LINE OF BUTLER BOULEVARD 2266.25± FEET TO CENTER LINE OF ST. JOSEPH STREET, THENCE WESTERLY ALONG CENTER LINE OF ST. JOSEPH STREET 704.25± TO NORTHBOUND CENTER LINE DR. MARTIN LUTHER KING, JR. BOULEVARD/LOGAN STREET, THEN NORTHERLY ALONG NORTHBOUND CENTER LINE DR. MARTIN LUTHER KING, JR. BOULEVARD/LOGAN STREET 2266.25± FEET TO CENTER LINE OF ALLEGAN STREET, THENCE EASTERLY ALONG CENTER LINE 708.25± FEET TO POINT OF BEGINNING, CITY OF LANSING, INGHAM COUNTY, MICHIGAN.

PART II. PORTIONS OF ASSESSORS PLAT NO. 9 AND ASSESSORS PLAT NO. 42 COMMENCING AT A POINT 41.25 FEET SOUTH AND 33 FEET EAST OF THE SOUTHEAST CORNER OF LOT 79 ASSESSORS PLAT NO. 42, THENCE NORTHERLY ALONG THE NORTHBOUND CENTER LINE DR. MARTIN LUTHER KING, JR. BOULEVARD/LOGAN STREET, THENCE SOUTHWESTERLY ALONG CENTER LINE 1420.25± FEET TO 41.25 FEET SOUTH OF ST. JOSEPH NORTH RIGHT-OF-WAY LINE, THENCE EASTERLY 668± FEET TO POINT OF BEGINNING, CITY OF LANSING, INGHAM COUNTY, MICHIGAN.

1222.2 **SEVEN BLOCK NEIGHBORHOOD DEVELOPMENT PLAN STRATEGIES.** THE CITY ADOPTS A DEVELOPMENT PLAN, WHICH PLAN IS SUBJECT TO AVAILABLE FINANCING AND REFLECTS AND EMPHASIZES THE FOLLOWING STRATEGIES:

(A) A HOUSING STRATEGY WHICH EMPHASIZES REHABILITATION WHERE FEASIBLE WITH SELECTIVE ACQUISITION TO REMOVE STRUCTURES FOR OVERCROWDING AND/OR POOR CONDITION AS WELL AS TO FACILITATE DEVELOPMENT OF PUBLIC PURPOSE PROJECTS. WHERE HOUSING REHABILITATION IS NOT FEASIBLE, NEW HOUSING DEVELOPMENT WILL BE ENCOURAGED IN CONFORMANCE WITH THE DEVELOPMENT PLAN. TO CARRY OUT THE HOUSING OBJECTIVES OF THE DEVELOPMENT PLAN, EXPERIENCED NON-PROFIT HOUSING CORPORATIONS WITH REPRESENTATION FROM NEIGHBORHOOD RESIDENTS WILL BE ENCOURAGED, AND EACH WILL HAVE ACCESSIBILITY TO THE MONIES AVAILABLE FOR HOUSING REHABILITATION IN THE DEVELOPMENT PLAN.

(B) AN ECONOMIC DEVELOPMENT STRATEGY WHICH ENDORSES A NEIGHBORHOOD COMMERCIAL CENTER AT THE NORTHEAST CORNER OF KALAMAZOO AND KING/LOGAN NORTH TO THE SOUTH BOUNDARIES OF PROPERTIES FRONTING ALLEGAN, EAST TO THE WESTERLY PROPERTY LINES OF THE PROPERTIES FRONTING ON BUTLER; CONTINUED AND EXPANDED COMMERCIAL USE ALONG ST. JOSEPH; AND OFFICE USES FACING THE STATE PARK AND STATE MUSEUM.

(C) A COMMUNITY FACILITIES STRATEGY WHICH INCLUDES THE FOLLOWING:

(1) LOCATING UNION MISSIONARY BAPTIST CHURCH WITH A 97,450 SQUARE FOOT BUILDING CONTAINING A SANCTUARY FOR 1,650 PERSONS AND A FAMILY LIFE CENTER WITH A GYM, CLASSROOMS AND OFFICES IN THE LOGAN/KING TRIANGLE ACCORDING TO PLANS ON FILE WITH THE PLANNING DIVISION THE CONSTRUCTION OF WHICH WILL BE COMPLETED WITHIN FOUR YEARS FROM THE TIME OF PURCHASE.

(2) PURCHASING AND RELOCATING THE CONGREGATION

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OF THE CHURCH OF GREATER JOY TO A MORE APPROPRIATE LOCATION CONSISTENT WITH THE CAPITOL LOOP PLAN AND IN ACCORDANCE WITH FEDERAL GUIDELINES.

(3) ESTABLISHING WITH STATE AND FEDERAL FUNDS A NEW PASSIVE PARK AREA ALONG KING/LOGAN.

(4) SELLING OR LEASING THE OLD UNION MISSIONARY BAPTIST CHURCH BUILDING TO A NONPROFIT ORGANIZATION WHICH WILL BE RESPONSIBLE FOR RENOVATING THE BUILDING TO HOUSE AND OPERATE A NEIGHBORHOOD SERVICES FACILITY.

(D) A CIRCULATION STRATEGY WHICH ENDORSES THE CAPITOL LOOP PLAN AND FOCUSES NONLOCAL TRAFFIC ONTO MAJOR STREETS BY CLOSING BOTH LENAWEE AND WASHTENAW STREETS.

(E) A PUBLIC SERVICES STRATEGY WHICH WILL PROVIDE THE PHYSICAL AMENITIES SUCH AS STREET LIGHTING, CURB AND GUTTER, SIDEWALK AND STREET RESURFACING TO IMPROVE THE GENERAL AESTHETIC APPEARANCE AND FUNCTIONING OF THE NEIGHBORHOOD.

(F) AN OVERALL STRATEGY WHICH WILL RETAIN A RESIDENTIAL CHARACTER THAT IS COMPATIBLE WITH THE MANY SURROUNDING USES, ENHANCE THE APPEARANCE AND QUALITY OF LIFE FOR RESIDENTS AND IMPROVE THE PHYSICAL STRUCTURES AND ESTABLISH SUPPORT SERVICES AND AMENITIES WHICH WILL STABILIZE FUTURE DEVELOPMENT.

1222.3 **SEVEN BLOCK NEIGHBORHOOD DEVELOPMENT PLAN.** UPON CONSIDERATION AND REVIEW OF THE REPORTS AND RECOMMENDATION OF THE CITIZENS DISTRICT COUNCIL, THE PLANNING BOARD AND THE DEPARTMENT OF PLANNING AND NEIGHBORHOOD DEVELOPMENT STAFF, THE PUBLIC COMMENTS MADE AT THE HEARINGS HELD BY THE PLANNING BOARD ON THIS MATTER AND THE PUBLIC COMMENTS MADE AT THE HEARING HELD BY CITY COUNCIL ON THIS MATTER, IT IS FOUND THAT:

(A) DEVELOPMENT AREA IS A BLIGHTED AREA AND QUALIFIES AS AN ELIGIBLE DEVELOPMENT AREA UNDER ACT 344, PUBLIC ACTS OF 1945, AS AMENDED.

(B) THE OBJECTIVE OF THIS DEVELOPMENT PLAN, AS MAY BE AMENDED, CAN ONLY BE SUBSTANTIALLY ACHIEVED THROUGH REDEVELOPMENT AND CONSTRUCTION OF THE SPECIFIED PUBLIC IMPROVEMENTS.

(C) THE DEVELOPMENT PLAN, AS MAY BE AMENDED, FOR THE DEVELOPMENT AREA CONFORMS TO THE COMPREHENSIVE MASTER PLAN OF THE CITY.

(D) THE FINANCIAL AID PROVIDED, AND TO BE PROVIDED, PURSUANT TO GRANT AGREEMENTS FOR FEDERAL FINANCIAL ASSISTANCE FROM THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT PERTAINING TO THIS HOUSING REHABILITATION AND REDEVELOPMENT PROJECT IS NECESSARY TO ENABLE THE PROJECT TO BE UNDERTAKEN IN ACCORDANCE WITH THE DEVELOPMENT PLAN, AS MAY BE AMENDED, FOR THE DEVELOPMENT AREA.

(E) THE REDEVELOPMENT OF THE DEVELOPMENT AREA FOR RESIDENTIAL USES AND RELATED NONRESIDENTIAL USES IS NECESSARY FOR THE DEVELOPMENT OF THE LANSING COMMUNITY AS A WHOLE.

(F) THE DEVELOPMENT PLAN, AS MAY BE AMENDED, FOR THE DEVELOPMENT AREA GIVES APPROPRIATE CONSIDERATION TO PROVIDING ADEQUATE PARK AND RECREATIONAL AREA AND FACILITIES, AS MAY BE DESIRABLE FOR NEIGHBORHOOD IMPROVEMENT, WITH SPECIAL CONSIDERATION FOR THE HEALTH, SAFETY, AND WELFARE OF CHILDREN AND SENIOR CITIZENS WHO WILL RESIDE IN THE GENERAL VICINITY OF THE DEVELOPMENT AREA.

(G) THE PROGRAM PROVIDING THAT INDIVIDUALS AND/OR FAMILIES DISPLACED IN CARRYING OUT THE DEVELOPMENT PLAN, AS MAY BE AMENDED, BE RELOCATED TO DECENT, SAFE AND SANITARY DWELLINGS IN CONFORMITY WITH ACCEPTABLE STANDARDS IS FEASIBLE AND CAN BE REASONABLY AND TIMELY OCCUR THEREBY PERMITTING THE TIMELY EXECUTION AND COMPLETION OF THE HOUSING REDEVELOPMENT PROJECT; AND THAT DWELLINGS OR DWELLING UNITS AVAILABLE OR TO BE MADE AVAILABLE TO SUCH DISPLACED INDIVIDUALS AND FAMILIES ARE AT LEAST EQUAL IN NUMBER TO THE NUMBER OF DISPLACED INDIVIDUALS; AND THAT DWELLING UNITS ARE AVAILABLE AT RENTS OR PRICES WITHIN THE FINANCIAL MEANS OF THE DISPLACED INDIVIDUALS AND FAMILIES AND ARE LOCATED IN AREAS FROM WHICH THEIR PLACE OF EMPLOYMENT IS REASONABLY ACCESSIBLE.

(H) IN ORDER TO IMPLEMENT AND FACILITATE THE EFFECTUATION OF THE DEVELOPMENT PLAN, AS MAY BE AMENDED, WHICH HAS BEEN APPROVED HEREIN, THE CITY, IF APPROPRIATE, WILL TAKE OFFICIAL ACTION FOR THE VACATING AND REMOVAL OF SOME STREETS, THE ESTABLISHMENT OF NEW STREET PATTERNS, AND LOCATION AND RELOCATION OF SEWERS AND OTHER PUBLIC FACILITIES, AND OTHER APPROPRIATE GOVERNMENTAL ACTION.

(I) THAT THE CITY THROUGH THE DEPARTMENT OF PLANNING AND NEIGHBORHOOD DEVELOPMENT SEEK THE ADDITIONAL FINANCIAL ASSISTANCE THAT WILL BE NECESSARY TO ACCOMPLISH THE DEVELOPMENT PLAN IN ACCORDANCE WITH THE PROJECTED FUNDING SOURCES DELINEATED IN THE FINANCIAL IMPACT STATEMENT, SUBJECT TO THE AVAILABILITY THEREOF.

1222.4 **APPROVAL OF SEVEN BLOCK NEIGHBORHOOD DEVELOPMENT PLAN.** THAT THE DEVELOPMENT PLAN, AS MAY BE AMENDED, FOR THE DEVELOPMENT AREA, HAVING BEEN DULY REVIEWED AND CONSIDERED, IS APPROVED, AND THE CITY CLERK IS DIRECTED TO FILE SAID COPY OF THE DEVELOPMENT PLAN, AS MAY BE AMENDED, WITH THE MINUTES OF THIS MEETING.

1222.5 **IMPLEMENTATION OF SEVEN BLOCK NEIGHBORHOOD DEVELOPMENT PLAN.** THE IMPLEMENTATION OF THE SEVEN (7) BLOCK NEIGHBORHOOD DEVELOPMENT PLAN WILL BE MONITORED AS FOLLOWS:

(A) THE APPLICATION FOR A SECTION 108 LOAN GUARANTEE WILL BE SUBMITTED TO HUD. BASED ON THE FINANCIAL IMPACT STATEMENT, IT IS NOT ANTICIPATED THAT THE CITY WILL HAVE TO DRAW DOWN FUNDS ON THE SECTION 108 LOAN UNLESS PROJECT TIMING OR COSTS DIFFER SUBSTANTIALLY FROM AVAILABLE PROJECTIONS. SHOULD THIS OCCUR, PROPOSED FUND DRAW DOWN REPAYMENT SCHEDULE AND SOURCE OF FUNDS WILL BE SUBMITTED TO COUNCIL FOR APPROVAL.

(B) APPROVAL OF COUNCIL MUST BE OBTAINED PRIOR TO EXECUTION OF LEGALLY BINDING COMMITMENTS WITH EITHER THE MICHIGAN DEPARTMENT OF TRANSPORTATION OR UNION MISSIONARY BAPTIST CHURCH REGARDING THE PURCHASE OR SALE OF THE "TRIANGLE" PROPERTY.

(C) ALL PROPOSALS RECEIVED FOR DEVELOPING A

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

COMMERCIAL CENTER AT THE NORTHEAST CORNER OF KALAMAZOO STREET AND DR. MARTIN LUTHER KING JR., BLVD./LOGAN STREET MUST BE REVIEWED BY THE SEVEN BLOCK CITIZEN MONITORING TEAM, PHYSICAL DEVELOPMENT AND WAYS AND MEANS COMMITTEES PRIOR TO FINAL SELECTION BY CITY COUNCIL. THE SELECTION CRITERIA SHALL INCLUDE, BUT NOT BE LIMITED TO:

(1) CONFORMANCE WITH THE PLAN;
(2) A COST BENEFIT ANALYSIS;
(3) MARKET ANALYSIS;
(4) PRIOR RECORD AND ON-TIME PERFORMANCE; AND
(5) FINANCIAL CAPABILITY.

PRIOR TO INITIATING ACQUISITION, A PERFORMANCE BOND CASH DEPOSIT AND/OR LETTER OF CREDIT MUST BE POSTED BY THE DEVELOPER, SUFFICIENT TO WARRANT PROCEEDING WITH EXPENDING CITY FUNDS. THE SELECTION CRITERIA SHALL ALSO COMPLY WITH THE CITY PURCHASING ORDINANCE.

(D) ALL PROPOSALS RECEIVED FOR THE SALE, LONG-TERM LEASE AND/OR REUSE OF THE EXISTING UNION MISSIONARY BAPTIST CHURCH STRUCTURE AT 1020 WEST HILLSDALE AND THE ASSOCIATED LINEAR PARK LAND MUST BE APPROVED BY CITY COUNCIL AFTER REVIEW BY THE PHYSICAL DEVELOPMENT AND WAYS AND MEANS COMMITTEES.

(E) ALL ACQUISITIONS WHICH RESULT FROM EMINENT DOMAIN MUST FIRST BE REVIEWED BY THE PHYSICAL DEVELOPMENT AND WAYS AND MEANS COMMITTEES.

(F) THE WAYS AND MEANS COMMITTEE SHALL BE NOTIFIED AND MAY WISH TO REVIEW PROPERTY ACQUISITION OFFERS WHERE THE APPRAISAL PRICE EXCEEDS MORE THAN 2.4 TIMES THE STATE EQUALIZED VALUE, EXCLUSIVE OF TAXES, CLOSING COSTS, APPRAISAL OR RELOCATION EXPENSES.

(G) ALL PROPOSED AMENDMENTS OR MATERIAL CHANGES TO THE PLAN REGARDING FINANCIAL MATTERS, WHICH INCREASES THE ESTIMATED COSTS AS INCLUDED IN THE FINANCIAL IMPACT STATEMENT, SHALL BE REVIEWED BY THE WAYS AND MEANS COMMITTEE PRIOR TO APPROVAL BY CITY COUNCIL.

(H) AN ANNUAL REPORT SHALL BE MADE TO A JOINT SESSION OF THE PHYSICAL DEVELOPMENT AND WAYS AND MEANS COMMITTEES EACH YEAR IN NOVEMBER THROUGHOUT THE DURATION OF THE PROJECT DETAILING THE PROGRESS MADE RELATIVE TO TIMETABLES, FUNDING SCHEDULES, AND ANTICIPATED OR POTENTIAL PROBLEMS FOR THE VARIOUS COMPONENT PROJECTS IN THE PLAN.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by City Council.

This ordinance being necessary for the immediate Preservation for the public peace, health, or safety shall take effect upon its passage by motion of Councilmember Lilly

MARILYNN SLADE, CITY CLERK

BY COUNCILMEMBER LILLY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-02-93, 6066 and a Portion of 6070 S. Dr. Martin Luther King, Jr. Blvd./Logan St., be placed on order of immediate passage.

BY COUNCILMEMBER LILLY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-02-93, 6066 and a Portion of 6070 S. Dr. Martin Luther King, Jr. Blvd./Logan St., be now passed.

YEAS: Councilmembers Benavides, Brockwell, Ford, Lilly, Schmidt

NAYS: Councilmember Belen

ABSENT: Councilmembers Beal, Canady

ORDINANCE #2359

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorpor ated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-2-93, 6066 and part of 6070 S. Dr. Martin Luther King Jr. Blvd./Logan Street

Parcel Number: 3305-05-353-031 (6066); 3305-05-353-011 (6070)

Legal Description: The north 25 feet of the following described property: Commencing NW corner Lot 22, TH E LY 192.9' to the NE Corner Lot 21, TH SE LY along Newark Ave. R/W Line to W LY R/W line S King/Logan, TH SW LY along said R/W line 145.23 FT, TH N 40°48' W 54 FT, TH N 3°6' W to S line Lot 22, TH W LY to SW Corner Lot 22, TH N LY 81 FT to beginning, Webster Farm Sub No. 1, City of Lansing, Ingham County, Michigan

From "A" Residential and "J" Parking Districts to "A" Residential District, and the balance of the property be rezoned from "A" Residential, "F" Commercial and "J" Parking Districts to "F" Commercial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

MARILYNN SLADE, CITY CLERK

BY COUNCILMEMBER LILLY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-03-93, 3104 S. Cedar, be placed on order of immediate passage.

BY COUNCILMEMBER LILLY:

Resolved by the City Council of the City of Lansing that the

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-03-93, 3104 S. Cedar St., be now passed.

YEAS: Councilmembers Belen, Benavides, Brockwell, Ford, Lilly, Schmidt

NAYS: None

ABSENT: Councilmembers Beal, Canady

ORDINANCE #2360

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows

To change the zoning classification on the property described as follows:

Case Number: Z-3-93

Parcel Number: 3301-28-452-242

Legal Description: S 150.125 FT OF N 160.125 FT OF E 141.5 LOT 1, BLOCK 1, OAK CREST SUB., CITY OF LANSING, INGHAM COUNTY, MICHIGAN

From "D-1" Professional Office District and "E-2" Local Shopping District to "F" Commercial District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

MARILYNN SLADE, CITY CLERK

BY COUNCILMEMBER LILLY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-04-93, 619 E. Michigan Ave., be placed on order of immediate passage.

BY COUNCILMEMBER LILLY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-04-93, 619 E. Michigan Ave., be now passed.

YEAS: Councilmembers Belen, Benavides, Brockwell, Ford, Lilly, Schmidt

NAYS: None

ABSENT: Councilmembers Beal, Canady

ORDINANCE # 2361

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-4-93

Parcel Number: 3301-16-277-261

Legal Description: LOT 29 ASSESSOR S PLAT NO 36 OF BLOCK 243, ORIGINAL PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN

From "H" Light Industrial District to "G-1" Business District

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

MARILYNN SLADE, CITY CLERK

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Lilly; a request that Public Hearing VI-A. be pulled from the agenda, but that people present to speak regarding this issue be allowed to make their comments

PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER LILLY

2/ From Councilmember Lilly; a request that item XII C-4, Resolution approving the Seven Block Area Development Plan, be pulled from the agenda

PULLED FROM THE AGENDA AT THE REQUEST OF COUNCILMEMBER LILLY

3/ From Councilmember Lilly; a substitute for Item XIV A-1, Ordinance approving the Seven Block Neighborhood Development Plan

THE SUBSTITUTE ORDINANCE WAS ADOPTED;
HANDLED AS ORDINANCE #0866

4/ From Councilmember Lilly; a request that a duly published Public Hearing, in consideration of the sale of City owned property in the 300 Block of Baker Street, be added to the agenda as Item IV B.

THE RULES WERE SUSPENDED AND PUBLIC HEARING IV B WAS ADDED TO THE AGENDA

5/ From Councilmember Benavides; three transfer of funds

HANDLED AS RESOLUTIONS #463, AND #464

MOTION FOR EXCUXED ABSENCE

By Councilmember Benavides

To excuse Council President Canady from tonight's meeting and Councilmember Beal from the portion of the meeting following her departure at 9:30 P.M.

Carried unanimously

MAYOR'S COMMENTS

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Mayor Crawford announced that I-496 will be reduced to one lane in each direction, between Everett and Grand as part of a Michigan Department of Transportation project. He requested that City Clerk, Marilynn Slade provide Council, and the listening audience with an update concerning tomorrow's Odd Year Primary Election for City Offices.

Marilynn Slade, City Clerk said that in tomorrow's Odd Year Primary for the office of Mayor, City Clerk, 2 At-large Councilmembers, One Ward 2 Councilmember and One Ward 4 Councilmember, the precincts open at 7:00 A.M. and remain open until 8:00 P.M. She asked anyone that does not know where they go to vote to call her office at 483-4133 or 483-4134. The results of the election will be posted tomorrow night in the City Hall Lobby and will be announced on Channel 28 via live telephone coverage with her at the Data Processing Office.

COUNCILMEMBER'S COMMENTS

Councilmember Schmidt announced that she has received a letter from the Transportation Division regarding the closing of eastbound Michigan Ave. from Capitol Ave. to Washington Avenue. She reminded everyone that the Ingham County Fair begins next week and is an excellent opportunity for young people associated with the 4-H Program. She urged everyone to get out and vote tomorrow and sent her well wishes to Mayor Crawford.

Councilmember Belen announced that the Committee on Economic Development will not meet tomorrow and joined Councilmember Schmidt in urging the audience to vote in tomorrow's election.

Councilmember Ford reported receiving a complaint that there is no bench at the bus stop near Woolworth's on Washington Square. He asked the Mayor to contact someone on the CATA Board to see about getting a bench installed. The Walsh St. Neighborhood 3 on 3 Basketball tournament was a success last weekend and he thanked the Parents Partnership, the children, the Vincent brothers, and the Walsh St. Park Organization.

Councilmember Brockwell reminded everyone that tomorrow night's coverage of election results will begin at 9:00 P.M. with cumulative reports along the way. He commended Councilmember Lilly for the very professional job he has done since being appointed to City Council in January. He reminded everyone that tomorrow is National Night Out. Please turn your porch lights on and join your neighbors in the block parties that will be taking place.

PUBLIC COMMENTS

Karen Gierman of 607 Clifford said she is opposed to the requirement for advance sign in of public speakers at City Council meetings.

Lee Shunk, Jr. of 601 Leslie Street suggested that the sign in sheets be color coded according to which portion of the agenda signers wish to speak under. He asked for enforcement of pedestrian crosswalk rules and the ordinance which prohibits cars from parking across the sidewalk.

Brenda Hull of 425 S. Monk spoke in opposition to Rule #19.

Hulon T. Benson of 1018 W. St. Joe endorsed Mayor Crawford and Councilmember Ford in their campaigns for the Mayor's office, Councilmembers Belen and Lilly for At-Large Councilmembers, Councilmember Schmidt for the 2nd Ward, Paul Novac and Paget Maynard for the 4th Ward, and Marilynn Slade and Sue Eby for the City Clerk's office.

Paget Maynard of 902 W. Shiawassee said that the city of Lansing is in a crisis situation. The residents must get together to make sure they have positive reliable leadership on City Council.

Harold Leeman of 529 N. Francis said that Councilmember Ford does not get enough credit for what he does on Council. He (Ford) proposed the idea of police substations and deserves the credit for them.

Frank Curtis "X" of 1137 W. Allegan said he endorses Councilmember Ford for Mayor because their kids play together.

Tim Lewis of 500 S. Pine wished everyone good luck in tomorrow's election. Today's Ethics Board meeting was politically slanted. He said that at that meeting Councilmember Beal made the statement that Councilmember Belen told her to let the early retirement resolution go through in order to get rid of Jim Blair and Mayor McKane.

City Clerk, Marilynn Slade refuted the above statement made by Mr. Lewis. Councilmember Beal never made the statement regarding Blair or McKane.

Russell Greear of 3801 Walton Dr. said the roach problem at 3200 Washington Ave. is getting worse. He asked to be shown something in writing to prove that Mayor Crawford is working with the Housing Commission.

Betty Kost of 1425 McIntyre Crt. said that she has received campaign literature from the incumbents saying that they did not know that Jim Blair and Terry McKane would be eligible for early retirement. If that is the case, it represents dereliction of duty. This is one of the many reasons not to vote for the incumbents.

Ken Vaughan of 114 Garden St. said that he would not become involved in mud-slinging in this campaign. However, he urges everyone not to vote for either the incumbents or Mr. Hollister. His investigation of the early retirement plan disclosed existing problems with almost every aspect of City Government. Every Department is tainted by illegal, unethical practices because of larcenous leadership.

Alma Miatech 1434 Pontiac St. pled with City Council for help with the homeless problem. She asked for the revision of Rule #19.

Alexander Bolt, no address given, said that he wants the voters in tomorrow's election to know that there is a lot of special interest money floating around that is financing the campaigns of the incumbents. Special interest does not represent the people of the city of Lansing. He asked everyone who votes tomorrow to vote for trust, justice, freedom, and change.

Shelton Phillips, no address given, wished luck to all candidates in tomorrow's election. He spoke in support of the proposal to change the manner in which a candidates name gets on the ballot.

Del Maynard of 2017 Culver spoke against re-electing incumbents. David Hollister, he said, is also a professional politician.

Beverly Miller, no address given, criticized Councilmember Beal for only attending one meeting of the North Lansing Neighborhood Association. She goes to Councilmember Schmidt with her

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

problems, she said, because she does not get representation from her elected representative. She asked Councilmembers to go down and look at the Railroad tracks on Clifton Street. The work done on these tracks is the shabbiest she has ever seen. She wants to know why all of the businesses are moving out of north Lansing.

Ammahad Shekarrakki of 902 W. Willow St. asked why the residents of Lansing keep electing the same representatives over and over again. Our neighborhoods and City are dying. If you want change, get rid of these politicians.

William Bernstein of 420 Baker St. spoke about the monstrosity that was committed against him.

Michael Heddin of 1812 Adelpha protested the expansion of the Corner Kitchen Restaurant in his neighborhood. Wednesday, July 28, 1993 another dump truck showed up and dumped another load of gravel on this lot. He asked if this situation can be placed on the agenda for discussion at the next Physical Development Committee meeting. Councilmember Lilly agreed to place this item on the agenda and asked neighborhood representatives to attend the meeting to address their concerns. He asked Mayor Crawford to check with the Building Department to see if they have done anything about inspecting this expansion and to see if any permits have been pulled. Mayor Crawford said that he will report on his findings Thursday at the Committee meeting.

Steve Gobel of Adelpha said the expansion of the Corner Kitchen on S. Pennsylvania is the beginning of the destruction of his neighborhood.

ADJOURNED 10:55 P.M.
MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, August 9, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
August 9, 1993

The City Council of the City of Lansing met in regular session and was called to order by President Canady at 7:00 P.M.

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

ABSENT: Councilmember Belen left the proceedings at 8:30 P.M.

The Invocation and Pledge of Allegiance were led by Councilmember Lilly

CONSIDERATION OF LATE ITEMS

By Councilmember Beal

To accept the following under suspension of the rules:

1/ From Councilmember Beal; a letter from Ed Kapalla of 907 Hickory regarding disruptive behavior at the Quality Dairy Store at 400 S. Pennsylvania

2/ From Councilmember Benavides; a proposed resolution for service charges in lieu of property taxes for Twin Oaks Meadows Limited Dividend Housing Association Limited Partnership

3/ From Councilmember Schmidt; a request from the Ingham County/City of Lansing Community Corrections Advisory Board for approval of the reappointment of Charles Steinberg and Mary Kay Scullion to their Board

4/ From Councilmember Ford; a resolution granting a Peddler's/Transient Merchant license to N.E.S., Inc. pending compliance with the requirements of the City's Code of Ordinances

5/ From Councilmember Brockwell; a letter from Grace Lutheran Church requesting spot zoning for church owned property located at 1017 W. Lapeer

6/ From Councilmember Belen; a request that the resolution of tribute to Mr. and Mrs. Walter Goff and the Goff Family be presented to the Goff's during the Special Ceremonies Portion of the Agenda

Carried unanimously

SPECIAL CEREMONIES

A. Council president Canady along with Carol Webster of the Potter Park Zoological Society presented a Resolution of Tribute to Mr. and Mrs. Walter Goff and the Goff family. Mr. Goff thanked the Zoological Society, Mayor Crawford and City Council for their tribute and said he has enjoyed his association with the Zoo very much over the past two years. During the two day period encompassed by 'Goff Days' over 16,000 people were given free admission to Potter Park Zoo through the generosity of the Goffs.

B. Councilmember Belen introduced her nephew Fred Belen and his family who are visiting her enroute to their home in West Virginia.

SCHEDULED PUBLIC HEARINGS

A. In consideration of an Ordinance to Amend Chapter 1042, Section 1042.04 for the purpose of Providing for an Increase in Certain Rates and Charges for Services Furnished by the City Sewage Disposal System

The following people appeared and spoke in opposition to an increase in sewage rates for residential users.

—Lee Shunk, Jr. of 601 Leslie
—Howard Jones of 426 W. Barnes
—Russell Terry of 121 E. Mt. Hope
—Luke Roy of 165 Orchard
—Lloyd Teets of 116 E. Elm
—Harold Leeman of 529 N. Francis
—Lynn Martinez of 417½ W. Kilborn

REFERRED TO THE COMMITTEE OF THE WHOLE

PUBLIC COMMENT

William Hubbell of 1003 W. Cavanaugh spoke regarding the reluctance of apartment complex owners to comply with the Multi-family Recycling Ordinance. The complex he lives in still does not provide recycling to its' residents.

Howard Jones of 426 W. Barnes protested the resolution for approval of the Phase III of the Lansing Center and Associated Facilities and Parking System Project. This was not made available to the public in time for review prior to public comment on action items for tonight's meeting.

Russell Greear of 3801 Walton Dr. objected to the resolution for Phase III of the Lansing Center, because, these documents should be available for public inspection prior to their passage.

Lloyd Teets of 116 E. Elm asked to have the resolution for Phase III of the Lansing Center put on hold. The City is hoping that the state will reimburse them for these funds. What happens if the state does not come through? This will end up on the heads of the tax payers.

Lee Shunk, Jr. of 601 Leslie St. protested the rules for recycling and said that residents should be allowed additional green bags for newspapers at no cost. He asked for an additional free admission day at Potter Park Zoo for those people who are not able to attend on Tuesdays.

Bill Files of 2707 Geert Ct., E. Lansing, President of WILS news spoke on behalf of the peddler's license for N.E.S. Inc.

Bob Tresize of 834 Fred St. #11 spoke in support of the resolution setting forth rules and regulations of the Multi-family recycling ordinance. These apartment owners are behaving shamefully, he said. He suggested that potential tenants of apartment complexes inquire as to whether or not the complex they are interested in living in is in compliance with the recycling ordinance, and if not, do not rent from them.

Harold Leeman of 529 N. Francis said the multi-family recycling programs should be in place and be user friendly by now. What is

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

happening, he said, is that apartment owners are charging their tenants $1.00 per bag to take their recyclables out to Granger Land Fill and then receiving a credit from Granger for material that is reclaimable. The public, he said, was not given sufficient time to study the resolution of approval on the Lansing Center. What has happened to the idea of a regional approach to funding?

Robert Bennett of 1601 Robertson congratulated Council on the appointment of Mr. Welch to the Downtown Mall Advisory Board. He has a business and residence in this area and will be an excellent asset to the Board. Regarding the Lansing Center project, the resolution tonight leaves this open for phase IV. If that happens, there is no place for the Lansing Center to go except for into the park, or, into the City Market property. Please do not allow this facility to encroach onto Market property.

Frank Curtis "X" of 1137 W. Shiawassee said that we do not need all of this parking downtown. People should use public transportation, or walk a few steps. The tax payers are suffering and cannot afford to pay for this project.

Lewis Pothoff of 1712 W. Miller thanked Hager Fox for buying part of the Diamond Reo property. He disapproved of the sale of beer and wine at Riverfront park for the Riverfest. The city does not need any more drunk drivers, he said. He called the Lansing Center the ugliest eyesore in the entire city.

Ken Vaughan of 114 Garden St. protested the tardiness of the resolution for Phase III of the Lansing Center. It is too late for the public to look at it now.

Tim Lewis of 500 S. Pine asked where the money from admissions to the Potter Park Zoo goes. Councilmember Benavides answered that it goes back into park improvements. These are designated funds in the Parks Department Budget and they are restricted for this use.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and petitions be considered as read in full and that the proper referrals be made by President Canady

Carried unanimously

A. Letter from the Eastside Commercial Club requesting the removal of the bumps on the corners of intersections on East Michigan Ave.

REFERRED TO THE MAYOR

B. Notice from the State of Michigan Public Service Commission of a Hearing for the Customers of Michigan Bell Telephone Company Case No U-10282

RECEIVED AND PLACED ON FILE

C. Letter of thanks from Debbie Heefner of 719 Community St.

Debbie L. Heefner
719 Community Street
Lansing Michigan 48906 2003

Lansing City Council
Tenth Floor City Hall
124 West Michigan
ATTENTION: President Canady and Councilmembers
Lansing Michigan 48933

August 4, 1993

Dear Council President Canady and Councilmembers:

I respectfully request this letter be read into the record Monday, August 9th, as I will be out of town that evening.

I want the public to know that despite the way some have portrayed our elected officials, I know first hand because I have sat in their committee meetings for almost one solid year and observed. They do work, and they do keep your best interest at heart. Believe me, I take nothing at face value. I find out for myself.

My heart felt thanks to my incumbent opponents; Ms. Belen and Mr. Lilly. Even though I was vying for your seat, you helped me a great deal by answering ANY question I asked, and provided accurate guidance and did not intentionally steer me in the wrong direction. It showed me the strength in your character and cooperative spirit.

Not only were Ms. Belen and Mr. Lilly instrumental in providing me assistance, so were all Councilmembers. I have struggled to overcome many difficulties over the last year, and their advice has helped me establish my foundation for the future.

I am quite sure some will not agree. But, to all of you my hat is off. I feel this kind of conduct warrants recognition for you are the TRUE professionals.

In closing, I would like to express my sincere gratitude for your consultation and help, and wish you well in the November Election.

Very sincerely,
Debbie Heefner

RECEIVED AND PLACED ON FILE

MAYOR'S EXECUTIVE ASSISTANT'S COMMENTS

Mr. Frazier reviewed Mayor Crawford's letters on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. **RESOLUTION #465** August 9, 1993
President Canady and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PEDDLER/TRANSIENT MERCHANT: Bobby Trejo

Sincerely,
Marilynn Slade, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously, Councilmember Belen absent for the vote on this item

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of August 2, 1993

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

for Review

RECEIVED AND PLACED ON FILE

C .Letter from the City Attorney regarding Worker Compensation Redemption

PULLED FROM THE AGENDA AT THE REQUEST OF THE CITY ATTORNEY

D. Letters from the Mayor re:

1/ ACT-09-93, 6028 Coulson Court

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

2/ ACT-13-13, Vacation of 1100 Block of West Hillsdale

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

3/ ACT-17-93 Private Utility Easement—McKinch Park

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

4/ ACT-23-92, Disposition of Mifflin Park

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

5/ Annexation—Delhi Township

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

6/ SLU-08-93, Volunteers of America

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

7/Trash Violation Fee (V-27) $2,718.44

RESOLUTION #466

TO: Council President Mark Canady and City Councilmembers
FROM: James A. Crawford, Mayor
DATE: August 5, 1993
SUBJ: Trash Violation Fee (V-27)—$2,718.44

The attached trash violation/assessment fees for removal of trash and debris in the R.O.W. is forwarded with my concurrence for your review and appropriate action.

By Councilmember Ford

To accept the recommendations of the Mayor

Carried unanimously, Councilmember Belen absent for the vote on this item

1. 306 S. Butler St., 3301-17-430-281-1, Violation #15067
   Service Fee $188.86
2. 1414 Ballard, 3301-10-157-001-2, Violation #15125
   Service Fee $188.86
3. 1539 New York, 3301-10-176-021-5, Violation #15095
   Service Fee $188.86
4. 1907 John, 3301-09-226-101-0, Violation #15098
   Service Fee $188.22
5. 621 W. Fairfield, 3301-04-109-181-5, Violation #15417
   Service Fee $182.27
6. 1118 E. Kalamazoo, 3301-15-376-231-1, Violation #15144
   Service Fee $182.27
7. 817 Cross, 3301-08-282-371-4, Violation #15164
   Service Fee $179.60
8. 733 Comfort, 3301-08-380-221-9, Violation #15109
   Service Fee $236.07
9. 531 N. Butler, 3301-17-228-281-8, Violation #15213
   Service Fee $179.60
10. 215 S. Pennsylvania, 3301-15-329-041-4, Violation #15444
    Service Fee $179.60
11. 1140 W. Lenawee, 3301-17-451-221-4, Violation #15251
    Service Fee $167.18
12. 811 Middle, 3301-20-203-022-4, Violation #15253
    Service Fee $178.74
13. 1114 Chelsea, 3301-17-402-231-9, Violation #15284
    Service Fee $242.24
14. 306 S. Mifflin, 3301-14-329-121-6, Violation #15260
    Service Fee $236.07

Total $2,718.44

COMMITTEE REPORTS

RESOLUTION #467

THE COMMITTEE ON GENERAL SERVICES, to whom was referred the request from Design & Build, Inc., for permission to work nights and weekends, should the need arise, in conjunction with their contract with the City for the Harton St. Equalization Basin, which is part of the CSO Project,

REPORTS AS FOLLOWS: The Committee was informed by the interim Director of Public Service that this request is being handled administratively, and will not require Council action. This report is for information only.

Signed: Charles Ford
Alfreda Schmidt
Robert Brockwell

August 9, 1993

BY COUNCILMEMBER FORD:

That the report of the Committee be received.

CARRIED UNANIMOUSLY, COUNCILMEMBER BELEN ABSENT FOR THE VOTE ON THIS ITEM

RESOLUTION #468

THE COMMITTEE ON WAYS AND MEANS, to whom was referred the issue of additional free days for Lansing Residents at the Potter Park Zoo,

REPORTS AS FOLLOWS; The Committee has reviewed the recommendation from the Parks and Recreation Department and Parks Board to not provide additional free days at the Zoo. The recommendation is predicated on the premise that free admission on Tuesdays, combined with free special event days sponsored by the Zoological Society and free days sponsored by Goff Food Stores, provide considerable opportunity for free admission.

Consequently, it is the recommendation of the Committee that no additional free admission days be scheduled. The Committee does

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

encourage other interested private businesses to sponsor special events at the Potter Park Zoo, and hereby expresses the willingness of the City Council to entertain and assist with other privately sponsored Zoo events.

SIGNED: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

That the Report of Committee be approved.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: COUNCILMEMBERS BEAL, BENAVIDES, BROCKWELL, CANADY, LILLY, SCHMIDT

NAYS: COUNCILMEMBER FORD

ABSENT: COUNCILMEMBER BELEN

RESOLUTIONS

RESOLUTION #469
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Capital City Riverfest, Inc., has applied for City approval of beer and wine sales in Louis F. Adado Riverfront Park on Friday, Saturday, Sunday, and Monday, September 3, 4, 5 and 6, 1993, in conjunction with Riverfest 93; and

WHEREAS, the application has been reviewed and approved by the Police Department and the Parks and Recreation Department; and

WHEREAS, the Committee on General Services has determined that the requirements of Section 608.04 of the Code regarding sale and consumption of beer and wine on public property have been satisfied;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the application of Capital City Riverfest, Inc., for permission to sell beer and wine in Louis F. Adado Riverfront Park on Friday, September 3, from 5:00 PM to midnight, on Saturday, September 4, from 11:00 AM to midnight, Sunday, September 5, 11:00 AM to midnight, and Monday, September 6, from noon to 6:00 PM.

August 9, 1993

By Councilmember Ford

Carried unanimously, Councilmember Belen absent for this vote

RESOLUTION #470
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Causie Contracting, Inc., has requested permission to work after 8:00 PM on week nights and during weekend hours to complete their reconstruction contract with the Michigan Department of Transportation for the portion of I-96 between the east and west City limits on the south end of Lansing; and

WHEREAS, the Public Service Department and the Mayor's Office have recommended approval of the request;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves night and weekend work by Causie Contracting, Inc., for the MDOT contract to reconstruct I-96; and

BE IT FURTHER RESOLVED the Clerk is requested to forward a copy of this resolution to Causie Contracting, Inc., and to MDOT.

August 9, 1993

By Councilmember Benavides

To excuse Councilmembers Ford and Lilly from the vote on this item because the work involved is for an MDOT project and they are both MDOT employees

Carried unanimously, Councilmembers Ford and Lilly abstaining and Councilmember Belen absent for the vote

By Councilmember Schmidt

To place an affirmative roll on the resolution

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Beal, Benavides, Brockwell, Canady, Schmidt

NAYS: None

ABSENT: Councilmember Belen

ABSTAIN: Councilmembers Ford, Lilly

RESOLUTION #471 AUGUST 4,1993
COMMITTEE ON PHYSICAL DEVELOPMENT

WHEREAS, the City of Lansing has declared its intent to clear the land known as "Diamond Reo", remove contamination, establish a sub-division plat and resell the land for industrial, wholesale, and/or commercial use; and

WHEREAS, the proposed sale to Hager-Fox, Inc., a plumbing and heating contractor doing retail and wholesale business will exceed $50,000 for the parcel known as Lot 5, R.E. Olds Plat; and

WHEREAS, in accordance with the Lansing City Charter, Article 8, Chapter 4, and Section 208.08 of the Lansing Code of Ordinances information regarding this sale has been on file with the City Clerk for the required 30 days; and

WHEREAS, a notice of public hearing was published on July 20, 1993 and a public hearing held on August 2, 1993 in accord with the requirements of the code;

NOW THEREFORE BE IT RESOLVED that the Lansing City Council does hereby approve the sale of Lot 5 of the R.E. Olds Subdivision for $68,480.00 to Hager-Fox, Inc. in accord with the Charter and code requirements.

By Councilmember Lilly

Carried unanimously, Councilmember Belen absent for the vote on this item

RESOLUTION #472
By Councilmember Lilly:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, August 30, 1993, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing a proposed Special Land Use permit, SLU-8-93, 430-440 N. Larch Street, requested by the Volunteers of America of Greater Lansing, Incorporated.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Beal, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

NAYS: None

ABSENT: Councilmember Belen

RESOLUTION #473
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

NOW, THEREFORE, BE IT RESOLVED that the Mayor's appointment of H.A. Welch to the Downtown Mall Advisory Board for a term to expire February 1, 1994, is hereby confirmed.

By Councilmember Brockwell

Carried unanimously, Councilmember Belen absent for the vote on this item.

August 9, 1993

RESOLUTION #474
BY THE COMMITTEE ON PUBLIC SERVICE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Multi-Family Recycling Ordinance, adopted March I, 1993, provides for the promulgation of more specific rules and regulations governing the implementation of the Ordinance; and

WHEREAS, the Public Service Department has now promulgated Multi-Family Recycling Rules and Regulations for review and adoption by the Lansing City Council, and

WHEREAS, the Mayor's Ad-Hoc Advisory Committee on Recycling unanimously endorses the proposed Rules and Regulations; and

WHEREAS, the Public Services Committee has reviewed the proposed Rules and Regulations, and concurs with the recommendation of the Public Service Department and the Mayor's Citizens Advisory Committee on Recycling.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, setting in regular session this 9th day of August 1993, hereby approves the Rules and Regulations as submitted; and

BE IT FINALLY RESOLVED that these Rules and Regulations are effective upon adoption by the Lansing City Council.

By Councilmember Brockwell

Carried unanimously, Councilmember Belen absent for the vote on this item

City of Lansing Public Service Department

RULES AND REGULATIONS

MANDATORY RECYCLING AT MULTI-FAMILY DWELLINGS
(Under Recycling Ordinance, Chapter 1063.03)

The following rules and regulations are hereby promulgated as provided for in Chapter 1063.03 (b).

1. **Tenant or Resident Payments for Recycling Collection Service:**

a) Any recycling program that causes the tenant or resident to pay on a volume basis for recycling collection service is not acceptable under the city ordinance. Requiring residents to pay a volume-based fee in order to participate in a recycling program is not as convenient as non-volume based refuse collection service (where the cost is included in the monthly rent).

b) Bag-based recycling collection service is an acceptable system for on-site recycling, providing that tenants or residents are not required to purchase bags in order to participate in the recycling program.

c) As with other solid waste services, tenants or residents shall not be limited to the volume of materials they can recycle at a given cost per the requirements in subsection (d) below.

d) Owners may not cover the cost of a recycling collection program at a multi-family dwelling property, except by one of the following:

i) include the cost of the recycling collection service in the rent as with landfill-bound solid waste collection, and other apartment services;

ii) inform the tenant of the charge for the recycling service at a multi-family dwelling property ***together with*** the tenant's (per household) cost for landfill-bound solid waste collection and disposal.

2. **Curbside Recycling Service:**
Curbside recycling is commonly referred in the recycling industry and in government policies as a service where recycling collection is provided to households by using collection bins that are placed by the resident along the curb or street directly in front of their house, or multi-family dwelling unit.

For the purposes of meeting the requirements of the Recycling Ordinance, a multi-family dwelling recycling system may be considered as "curbside recycling" if the collection point for household recycling containers for any multi-family dwelling unit is located no further than the curb, or parking area in front of the building where a given multi-family dwelling unit is located.

RESOLUTION #475
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Walt and Eleanor Goff and the Goff Associates have sponsored 'Goff Days' at the Potter Park Zoo; and

WHEREAS, Goff Days have given area residents the opportunity to learn more about the Potter Park Zoo while enjoying a true family experience of recreation and fun; and

WHEREAS, Walt and Eleanor Goff and the Goff Associates have given of themselves in true generosity to the Potter Park Zoo and to the People of Mid-Michigan;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 9th day of August, 1993, hereby recognizes and commends Walt and Eleanor Goff and all Goff Associates for their outstanding demonstration of community spirit through their generous sponsorship of free admission during Goff Days at the Potter Park Zoo; and

BE IT FURTHER RESOLVED the Goffs and their employees provide a shining example of the altruism in our private sector that helps make Lansing a warm and comfortable home in which to live and do business.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

By Councilmember Benavides

Carried unanimously

RESOLUTION #476

RESOLUTION APPROVING THIRD AMENDED DEVELOPMENT PLAN AND THIRD AMENDED TAX INCREMENT FINANCING PLAN

Minutes of a regular meeting of the City Council of the City of Lansing, County of Ingham, held at 7:00 p.m., Michigan time, on the day of August 9, 1993, at which the following members were present and the following members were absent:

PRESENT: Members Beal, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

ABSENT: Member Belen

The following preamble and resolution offered by and supported by Councilmember Benavides

WHEREAS, this City Council has given notice pursuant to Section 17 of Public Act No. 450 of the Michigan Public Acts of 1980, as amended (the "Act") of a public hearing which was held on June 21, 1993, relative to the Third Amended Development Plan and the Third Amended Tax Increment Financing Plan for the Phase III—Lansing Convention/Exhibition Center and Associated Facilities and Parking System Project (the "Project") of the Tax Increment Finance Authority of the City of Lansing (the "Authority"); and

WHEREAS, this City Council has previously approved the Development Plan, as modified and the Tax Increment Financing Plan, as modified for the Phase I and Phase II Lansing Convention-/Exhibition Center and Associated Facilities Project; and

WHEREAS, at said public hearing, the fullest opportunity was given for expression of opinion, for argument on the merits and for introduction of documentary evidence pertinent to the Third Amended Development Plan and the Third Amended Tax Increment Financing Plan, and further, this City Council has given due consideration to all communications received in writing with reference thereto; and

WHEREAS, this City Council made and preserved a record of the public hearing, including all data presented thereat; and

WHEREAS, due to decline in parking system use and stagnant revenues over the past four years, it is desirable for the Authority to acquire all or a portion of the City of Lansing Parking System; and

WHEREAS, in recognition of this problem the City Council desires to create more economical, efficient and creative use of parking system facilities through refinancing, sale, lease/purchase, lease and third-party management involving major system users including Lansing Community College and the hospitality industry; and

WHEREAS, on May 27, 1993, the Authority adopted a resolution approving the Third Amended Tax Increment Development Plan and the Third Amended Tax Increment Financing Plan for the Phase III—Lansing Convention/Exhibition Center and Associated Facilities and Parking System Project; and

WHEREAS, restructuring of parking system debt and operations holds considerable potential for the City to reduce future rate increases or may even allow for an overall reduction in rates in order to encourage economic development; and

WHEREAS, the Mayor and Administration strongly recommend adoption of this plan setting the parameters of possible involvement in restructuring the City of Lansing Parking System; and

WHEREAS, this City Council desires to express its approval of the Third Amended Development Plan, the Third Amended Tax Increment Financing Plan and the Project described therein, subject to the modifications thereof described in Exhibit A attached hereto.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING, AS FOLLOWS:

1. It is hereby determined that the Third Amended Development Plan and the Third Amended Tax Increment Financing Plan for the Project, as presented, subject to the modifications set forth in Exhibit A attached hereto, each constitutes a public purpose within the meaning of the Act and the Third Amended Development Plan and the Third Amended Tax Increment Financing Plan are each hereby approved in its entirety, subject to the modifications set forth in Exhibit A attached hereto, based upon the following considerations:

a. The Third Amended Development Plan meets the requirements as set forth in Section 16(2) of the Act and the Third Amended Tax Increment Financing Plan meets the requirements as set forth in Section 13(2) of the Act.

b. The proposed method of financing the Project is feasible and the Authority has the ability to arrange the financing.

c. The Project is reasonable and necessary to carry out the purposes of the Act.

d. The amount of captured assessed value estimated to result from the adoption of the Third Amended Development Plan and Third Amended Tax Increment Financing Plan is reasonable.

e. The land to be acquired within the development area, if any, is reasonably necessary to carry out the purposes of the Third Amended Development Plan and Third Amended Tax Increment Financing Plan and the purposes of the Act.

f. The Third Amended Development Plan is in reasonable accord with the approved master plan of the City of Lansing.

g. Public Services, including fire and police protection and utilities, are adequate to service the development area. No changes in streets, street levels, intersections or utilities will be reasonably necessary for the Project and the municipality.

2. All resolutions or parts thereof in conflict with this resolution are hereby repealed, but only to the extent of such conflict.

YEAS: Members Beal, Benavides, Brockwell, Canady, Lilly, Schmidt

NAYS: Member Ford

ABSTENTIONS:

ABSENT: Councilmember Belen

RESOLUTION DECLARED ADOPTED

EXHIBIT A

The Third Amended Tax Increment Financing Plan is hereby modified as follows:

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

1. Page 2, the last paragraph is deleted in its entirety.

2. Page 3, the first paragraph is deleted in its entirety.

3. Page 5, the first sentence of F. Section 13(2)(3) shall provide as follows:

The Authority will prioritize potential activities under this Plan and the Development Plan only after potential activities have been reviewed by the City Council and the City Council has provided to the Authority the City Council's written comments, advice and/or recommendations.

4. Page 6, the first sentence of the last paragraph is modified to read as follows:

The City of Lansing has the power to pledge its full faith and credit to support the Authority's revenue bonds if such pledge is subsequently approved by a majority vote of the City Council.

RESOLUTION #477
BY COUNCILMEMBER CHARLES FORD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Adnan Khatib, representing National Electronic Sales of Yorba Linda, California, has applied for a City transient merchant license to be used in conjunction with a three-day sale of consumer electronics products over the counter at 3003 East Michigan Avenue during August 20-22, 1993; and

WHEREAS, the applicant has already rented the building for the sale and is prepared to meet all technical requirements of the Code to qualify for the license, and this firm has previously conducted such a sale in the Lansing Center; and

WHEREAS, the applicant has requested expedited Council approval of the transient merchant license in order to complete plans for the sale; and

WHEREAS, the City Attorney has confirmed that this Council may grant advance approval for such license on the condition that the applicant complete all requirements prior to the sale;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the application of Adnan Khatib, representing National Electronic Sales of Yorba Linda, California, for a Transient Merchant License to be used in conjunction with a three day sale of consumer electronics products over the counter at 3003 East Michigan Avenue during August 20 22, 1993, provided that the applicant satisfies minimum Code requirements by the close of business on Thursday, August 19, 1993.

August 9, 1993

By Councilmember Ford

Carried unanimously, Councilmember Belen absent for the vote on this item

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Beal; a letter from Ed Kapalla of 907 Hickory regarding disruptive behavior at the Quality Dairy Store at 400 S. Pennsylvania

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PUBLIC SAFETY

2/ From Councilmember Benavides; a proposed resolution and ordinance for service charges in lieu of property taxes for Twin Oaks Meadows Limited Dividend Housing Association Limited Partnership

REFERRED TO THE MAYOR, THE COMMITTEE ON WAYS & MEANS,
& PHYSICAL DEVELOPMENT

3/ From Councilmember Schmidt; a request from the Ingham County/City of Lansing Community Corrections Advisory Board for approval of the reappointment of Charles Steinberg and Mary Kay Scullion to their Board

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

4/ From Councilmember Ford; a Resolution granting a peddler/-transient merchant's license to N.E.S., Inc. pending compliance with the City's Code of Ordinances

HANDLED AS RESOLUTION #477

5/ From Councilmember Brockwell; a letter from Grace Lutheran Church requesting spot zoning for church owned property located at 1017 W. Lapeer

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

6/ From Councilmember Belen; a request that the resolution of tribute to Mr. and Mrs. Walter Goff and the Goff Family be presented to the Goff's during the Special Ceremonies Portion of the Agenda

THE RULES WERE SUSPENDED AND THE RESOLUTION OF TRIBUTE TO THE GOFF FAMILY WAS PRESENTED TO MR. AND MRS. WALTER GOFF DURING THE SPECIAL CEREMONIES PORTION OF THE AGENDA

MAYOR'S EXECUTIVE ASSISTANT'S COMMENTS

Mr. Boyd announced that the City of Lansing, in partnership with WLNS TV, adopted Ottumwa, Iowa for a disaster relief project. Supplies will be collected at WLNS at 2827 E. Saginaw and at all Shop Rite stores. The following items are needed: Cleaning supplies, baby supplies, canned foods, tools, personal hygiene products, first aid supplies and shelving paper. The truck leaves next monday for Ottumwa, and everyone is encouraged to participate in this worthwhile cause. On Wednesday, August 11, 1993 at 7:00 P.M. Mayor Crawford will hold a community meeting at the Graves Education Center at 1317 E. Ballard to deal with the recent outbreak of homicides. The Mayor has proposed a 4 point plan and encourages all interested parties to attend the meeting.

COUNCILMEMBER'S COMMENTS

Councilmember Schmidt asked Mr. Boyd to have the Mayor contact Code Compliance Officer, Randy Eberbaugh. There are three or four lots at the corner of Kalamazoo and Tamady Lane that need to be inspected for tall weeds and grass. The fire hydrant there is completely covered and not visible. She instructed everyone who uses a handicapped parking permit to make sure they use the original of their permits, duplications will not be accepted.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

PUBLIC COMMENTS

William Bernstein of 420 Baker St. said that Council Vice-President Brockwell did not have the right to deny his request that he be allowed to embrace the American Flag last Monday evening.

Lee Shunk, Jr. of 601 Leslie informed Council that the "Do Not Walk" light at the corner of Kalamazoo and Larch Streets does not work. He requested enforcement of the Code of Ordinances as it regards automobiles parking across the sidewalk. He repeated his request that one of the classes from North School be allowed to lead the invocation at one of the Council Meetings.

Russell Greear of 3801 Walton accused Council of destroying the economy of the city by building a pole barn and destroying the Civic Center. He demanded to know what Council would do about the recent spate of shootings in the city.

Lloyd Teets of 116 E. Elm thanked the 2,242 people who voted for him. He stated that he got more votes, per campaign dollar spent, than any other candidate.

Linda Pothoff of 1712 W. Miller Rd. asked what happens to money from the State of Michigan Lotto? She had the understanding that it would be going to the schools. City Hall should be handicap accessible, she said.

Lewis Pothoff of 1712 W. Miller said he asked nearly a month ago to have his ward councilmember contact him. To date, Councilmember Benavides has not called. He requested that the steps at the entrance to City Hall be painted yellow.

Dale Johnson of 1015 S. Washington thanked City Council. His neighborhood, he said, is shaping up very nicely.

Harold Leeman of 529 N. Francis said that Mayor Crawford needs to deal with the realities of the Pennsylvania Avenue corridor between Kalamazoo and I-496. These shootings are the reality of this area. He reported that the median at the corner of N. Logan and Grand River needs to be mowed.

Frank Curtis "X" of 1137 W. Allegan spoke regarding the murders of Rodney King and Malice Green. The black man wants reparation.

Andrew Anthos, no address given, said the problems on Pennsylvania Ave. seem insurmountable. He thanked Councilmember Lilly for supporting his D.O.M.E. project. Council must find a way to pay for the Lansing Center. They should lower the parking rates.

Ken Vaughan of 114 Garden St. suggested that city residents be issued punch cards worth free trips to the Potter Park Zoo. The city should close the parking system and file bankruptcy on it. We are in a war with drug dealers and it is time for drastic measures.

Tim Lewis of 500 S. Pine said it seems as if Council cannot do anything about the drug problem and violence in the city. This Saturday a steam train will be coming through town enroute from Plymouth to Holland.

Mark Parker of 1020 Prospect quoted from a newspaper article reporting 74 sites in and around Lansing that have ground water contamination, although this poses no threat to the City's wells, we should have a plan for containing the contamination and keeping the ground water clean in the rest of the area.

Gary Andrews of 560 Brookland Blvd. said that he tried to save a piece of the Diamond REO legacy for the city by having the site named as an historic site and having a historic marker erected. What has happened to the marker that was to be erected on this site?

ADJOURNED 10:00 P.M.
MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, August 16, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
August 16, 1993

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Canady

PRESENT: Councilmembers Benavides, Brockwell, Canady, Lilly, Schmidt, Ford

ABSENT: Councilmembers Beal, Belen

The Invocation and Pledge of Allegiance were led by Councilmember Schmidt

CONSIDERATION OF LATE ITEMS

By Councilmember Lilly

To accept the following under suspension of the rules:

1/ From Councilmember Lilly; a request that Items XII A-4, SLU-02-92, 1518 S. Washington, XII A-5, Reaffirmation of Southwest Area Comprehensive Plan as related to South Baptist Church, and XII C-I, Tribute to Aaron Houlihan be pulled from the agenda

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. In Consideration of the Potential Sale of 163 Acres Commonly known as Priggooris Park

Douglas Fairbanks of 525 E. Mt. Hope spoke in favor of this sale.

Dick Schafer of the City of Lansing Parks and Recreation Department stated that he is here on behalf of R. Eric Reickel to encourage Council on the sale of this land.

Angelo Kostarides of 9550 Cadbury Circle, Indianapolis, IN said he is the grand nephew of the man who donated this dedicated parkland to the city. He, and his family, want to make sure that the proceeds from the sale of this park go to another City recreational facility which will carry his Uncle's name. This was a condition of the will in which his Uncle deeded the property to the City.

Councilmember Lilly assured Mr. Kostarides that this request would be made part of the final resolution for the sale of this parkland.

Councilmember Brockwell told Mr. Kostarides that Mr. Reickel is very aware of his family's wishes and will follow through with them.

Councilmember Ford indicated his support for naming a facility after Mr. Prigooris and said that he appreciates the donation of the parkland and the time Mr. Kostarides has spent to come up here from Indiana to address Council regarding this matter.

Councilmember Schmidt said she felt that this was the most reasonable thing to do because the property was not being used in the appropriate way. The Prigooris name will be honored.

Lloyd Teets of 116 E. Elm said he does not see the need for a public hearing for the sale of this property. This was approved by the voters as a ballot issue on the November 1986 ballot. If the voters voted to sell it, what right does Council have to debate that sale. He supported the request of the Prigooris family that their name be placed on the facility that receives the benefit of this sale. Councilmember Lilly informed Mr. Teets that the Code of Ordinances requires that a public hearing be held on the sale of any land that will net the City in excess of $50,000.

Councilmember Canady announced that the proceeds from this sale are earmarked for a Wildlife Habitat Headquarters.

Councilmember Benavides informed Mr. Teets that Council is trying to make sure that the approval of the sale of this property is appropriate.

Russell Greear of 3801 Walton Dr. said that Council should have provided a map to show where this property is located. The description of the property in the resolution is nothing but a bunch of numbers that cannot be understood. He believes that Mr. Prigooris' heirs should be able to dictate how the proceeds from this sale are spent.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

PUBLIC COMMENT

Douglas Fairbanks of 525 E. Mt. Hope said that the Quality Dairy store at the corner of Pennsylvania and Kalamazoo should be closed at 9:00 P.M.

Russell Terry of 121 E. Mt. Hope spoke in support of the Ordinance regarding fringe benefits for elected city officials.

Todd Heywood of 221 E. St. Joe spoke in opposition to the tribute to Eagle Scout, Aaron Houlihan. The problems at the Quality Dairy store at the corner of Pennsylvania and Kalamazoo will keep happening until City Council gives the young people in the community something to do.

COMMUNICATIONS AND PETITIONS

By Councilmember Schmidt

That Communications and Petitions be considered as being read in full and that the proper referrals be made by President Canady

Carried unanimously

A. Letter from Arlo and Judy Pull of 1920 S. Rundle Ave. Regarding their Request for Replacement Sidewalk

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PUBLIC SERVICES

B. Notice received from the Liquor Control Commission of their Cancellation of a Request for a Dance Permit in conjunction with Class C liquor license filed by James J. Barrett

REFERRED TO THE CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

C. Request received from the National League of Cities regarding Designation of Voting and Alternate Voting Delegates for the Annual Congress of Cities to be held December 2-5, 1993

REFERRED TO THE COMMITTEE OF THE WHOLE

D. Z-09-93, Petition for Rezoning, filed by Immanuel Community Reformed Church of 3200 Delta River Drive

REFERRED TO THE MAYOR AND THE PLANNING BOARD

E. SLU-11-93, Special Land Use Request, filed by Immanuel Community Reformed Church of 3200 Delta River Drive to expand existing Church Building

REFERRED TO THE MAYOR AND THE PLANNING BOARD

MAYOR MAY COMMENT

Mayor Crawford spoke in support of his recommendation for the appointment of Frederick Reiger to the Public Service Board and asked that the appointment of Charles Steinberg to the CCAB be delayed for one week. Mr. Steinberg has been offered a job with the City of Lansing and there may be a conflict with the appointment. The ordinance he is proposing, to regulate fringe benefits for elected officials, would require that something like the early retirement plan be passed by ordinance rather than resolution.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. **RESOLUTION #478** August 16, 1993

President Canady and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached application for license has been routinely processed and is recommended for approval. It is ready for final action by City Council.

PUBLIC DRIVER: James Gerard Benington

Sincerely,
Marilynn Slade, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of August 9, 1993 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1. Appointment of Frederick Rieger to the Public Service Board replacing Cleo Cipicchio

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

2. Fringe Benefits

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

3. CSO Tree Report

RECEIVED AND PLACED ON FILE

COMMITTEE REPORTS

RESOLUTION #479

THE COMMITTEE ON PUBLIC SAFETY, to whom was referred the letter from Ed Kapalla complaining about neighborhood problems surrounding the Quality Dairy store located at the corner of East Kalamazoo and South Pennsylvania,

REPORTS AS FOLLOWS: The letter urges the City to force the business to stop operating 24 hours per day, and to close at 11:00 PM. The Committee heard from the Mayor's Office and the Chief of Police that calls for service at this business have dropped in 1993 (year to date) compared to 1992, and that the owners of the business have been very cooperative with the City in attempts to improve the neighborhood situation. The Mayor's Office, to which this letter was also referred, will call a neighborhood meeting to hear current concerns and share information with the Quality Dairy management. This report is for information only, and no Council action is required at this time.

Signed: Alfreda Schmidt
Tony Benavides
Charles Ford

August 16, 1993

BY COUNCILMEMBER SCHMIDT:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTIONS

RESOLUTION #480

COMMITTEE ON PHYSICAL DEVELOPMENT
ACT-9-93
6028 COULSON COURT

WHEREAS, Scott and Anne Bischoff, of 9391 East Eaton Hwy., Mulliken, Mich. have requested a four (4) foot reduction in the Weigman drain easement along their property at 6028 Coulson Court, Lansing, MI., to provide clear and marketable title for the single family structure that encroaches on to the easement; and

WHEREAS, the City of Lansing has no objections over reducing this easement by four (4) feet as it will not impact the City's maintenance and repair of the drain; and

WHEREAS, the County Drain Commissioner granted the City of Lansing jurisdiction over this drain during annexation, but has never transferred the title of this easement to the City; and

WHEREAS, only the County Drain Commissioner can reduce this easement.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the City of Lansing hereby approves the request to reduce the Weigman drain by four (4) feet, and hereby disclaims any interest in that part of the easement described as:

The South four (4) feet of the Weigman drain easement (as recorded in Liber 72 MR Pages 398, 410, 413, 419. Ingham County Records) crossing Lot 2 of Laylin Subdivision, City of Lansing, Ingham County, Michigan, according to the plat thereof recorded in Liber 20 of Plats, Page 35, Ingham County Records.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

FURTHER, BE IT RESOLVED, that the City Clerk is directed to send a copy of this action to the County Drain Commissioner.

By Councilmember Lilly

Carried unanimously

RESOLUTION #481
COMMITTEE ON PHYSICAL DEVELOPMENT
ACT-13-93, VACATION OF THE 1100 BLOCK OF WEST HILLSDALE

WHEREAS, the Department of Planning and Neighborhood Development is requesting in conjunction with the implementation of the Seven Block Area Development Plan, the vacation of the 1100 Block of West Hillsdale Street for the purpose of creating a single buildable parcel in the "Triangle" between the north and southbound lanes of Dr. Martin Luther King, Jr. Blvd./Logan Street and St. Joseph Street.; and

WHEREAS, the Planning Board reviewed the report of the Planning Section and recommended on August 3, 1993, that the vacation of the 1100 block of W. Hillsdale Street be approved subject to the retention of utility easements; and

WHEREAS, the Physical Development Committee has reviewed the report of the Planning Board and concurs therein;

NOW THEREFORE BE IT RESOLVED, that the Lansing City Council hereby vacates the right-of-way in the 1100 Block of W. Hillsdale Street subject to the retention of utility easements as follows:

to vacate that portion of West Hillsdale Street dedicated and lying within Assessor's Plat No. 42 of Replat of Dickerman's Addition on the Southwest Quarter of Southeast Quarter of Section 17, T4N,R2W, City of Lansing, Ingham County, Michigan, commencing at the Northeast corner of Lot 62, thence northeasterly to the southwest corner of Lot 12, thence east to a point 89 feet east of the southwest corner of Lot 3, thence southwesterly to a point 39 feet east of the Northwest corner of Lot 75, thence west to the place of beginning.

BE IT FURTHER RESOLVED that the administration be directed to prepare and execute the necessary documents.

By Councilmember Lilly

Carried unanimously

RESOLUTION #482 August 5,1993
COMMITTEE ON PHYSICAL DEVELOPMENT
ACT-17-93, PRIVATE UTILITY EASEMENT—MCKINCH PARK

WHEREAS, the applicant John Boles representing Immanuel's Temple Church has requested a private utility easement across McKinch Park to connect to the public sewer in Moffitt Street; and

WHEREAS, the Planning staff have reviewed the request and found that the Parks Board endorses this action and that the Parks Department also supports the easement as long as it does not disturb a grove of maple trees on the site and with the understanding that the land will be reclaimed in grass by the church after the pipe is laid; and

WHEREAS, the Planning Board reviewed the report of staff and on August 3, 1993 did recommend approval of the easement subject to the above conditions and the comments of the responding agencies; and

WHEREAS, the Physical Development Committee has reviewed the report of the Planning Board and concurs therein;

NOW THEREFORE BE IT RESOLVED that the Lansing City Council approves the private utility easement across McKinch Park for Immanuel's Temple church to connect into the public sewer in Moffitt Street subject to the conditions outlined above.

BE IT FURTHER RESOLVED that the administration be directed to prepare and execute the necessary documents to complete this transaction.

By Councilmember Lilly

Carried unanimously

Item XII A-4, SLU-02-92, 1518 South Washington, was pulled from the agenda at the request of Councilmember Lilly

Item XII A-5, Reaffirmation of Southwest Area Comprehensive Plan as related to South Baptist Church, was pulled from the agenda at the request of Councilmember Lilly

Item XII B-1, Reappointment of Charles Steinberg to the Community Corrections Advisory Board, was pulled from the agenda for one week at the request of Councilmember Schmidt

RESOLUTION #483
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the proposed re-appointment of Mary Kay Scullion as the General Public Representative on the Ingham County/City of Lansing Community Corrections Advisory Board, for a new three year term to expire September 17, 1996, is hereby approved.

August 16, 1993

By Councilmember Schmidt

Carried unanimously

Item XII C-1, Tribute to Aaron Houlihan on achieving his Eagle Scout Award, was pulled from the agenda at the request of Councilmember Lilly

ORDINANCES FOR INTRODUCTION

RESOLUTION #484
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT a public hearing be scheduled and announced for 7:00 PM on Tuesday, September 7, 1993, in the Council Chambers on the 10th floor of City Hall, for the purpose of receiving public comment on the proposed ordinance to provide tax exemption to Twin Oaks Meadows Limited Dividend Housing Association Limited Partnership for a housing project for elderly persons of low income, to be located on Lot 224, Glenburne No. 4 Subdivision, City of Lansing, Eaton County, under the provisions of Act 346, Public Acts of 1966, as amended.

By Councilmember Lilly

Carried unanimously

ORDINANCES FOR PASSAGE

There were no ordinances for passage

CONSIDERATION OF LATE ITEMS

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

From Councilmember Lilly; a request that Items XII A-4, SLU-02-92, 1518 S. Washington, XII A-5, Reaffirmation of Southwest Area Comprehensive Plan as related to South Baptist Church, and XII C-1, Tribute to Aaron Houlihan be pulled from the agenda

THE RULES WERE SUSPENDED AND ITEMS XII A-4, XII A-5, AND XII C-1 WERE PULLED FROM TONIGHT'S AGENDA

MOTION FOR EXCUSED ABSENCE

By Councilmember Benavides

To excuse Councilmembers Beal and Belen from tonight's proceedings.

Carried unanimously

MAYOR'S EXECUTIVE ASSISTANT'S COMMENTS

Mr. Frazier reminded everyone that the City will host the Car Capital Festival August 27 through 29th in commemoration of Oldsmobile's presence in our city for the last 96 years. He invited everyone to attend. Mayor Crawford announced that the Volunteers of America have suffered another fire. They are not certain of the cause of today's fire, it is under investigation.

COUNCILMEMBER'S COMMENTS

Council President Canady reminded all candidates from the August 1993 Primary Election that election law dictates that their yard signs must be removed no later than 5 days following the date of the election. Several candidates still have their signs up and are requested to remove them.

Councilmember Ford reported receiving calls from residents on Brook Street. They live across from St. Joseph Park and have asked that the tall grass and weeds in the park be taken care of by the Parks & Recreation Department. They have not gotten any response from Parks and Recreation because they say there are plans to build a football field in that section of the park. The residents are requesting that the tall grass and weeds be taken care of in the interim.

Councilmember Schmidt said that the rape incident in the second ward last weekend has frightened the neighborhood very badly. There had been some problem with the street lighting in this neighborhood. The Board of Water & Light has installed temporary lighting to help minimize future danger. She indicated her concern that there are many other areas in the City that are under construction and may be without street lights. Whenever an area is under construction and without permanent street lights for any significant period of time, it is the responsibility of the Board of Water & Light to arrange for emergency lighting for those residents. The incident last weekend is a classic example of the protection that government has the responsibility to provide to its' people. Residents had called the Board of Water & Light and complained about their street lights being out. The Police Department has made it clear that yard lights and street lights are the biggest deterrent to crime.

Mayor Crawford told Councilmember Schmidt that he talked to Joseph Pandy, Executive Director of the Board of Water & Light today. No one in the Mayor's Office, nor in Council Offices, was informed of this problem. He has requested that the Board notify the City when street lights have to be turned off and they have agreed to do so.

Councilmember Benavides said that he asked Mr. Pandy last week for a list of all streets in the City that the Board had targeted to replace the lighting in. Mr. Pandy indicated to him that they had a list compiled. This list would be a valuable tool to the City. He is concerned over reports that the temporary, emergency lighting being erected by the Board is not effective. He has received reports stating that the equipment used is not stable in strong winds.

Councilmember Lilly asked Mayor Crawford for a meeting to discuss concerns that the Police and Fire Departments have regarding today's fire at the Volunteers of America. Mayor Crawford indicated that he would be happy to set up a meeting anytime.

PUBLIC COMMENTS

Douglas Fairbanks of 525 E. Mt. Hope said he thinks the Lansing Center is the best thing to ever hit the Lansing area. Council displayed great vision when they approved construction of this facility.

Paul Scott of 412 W. Kilborn appealed to anyone in the audience tonight who may have information about who is causing these fires at the Volunteers of America. He believes that this fire is a product of arson. This agency is trying very hard to help people who need help the most. If you know who this is, please help the VOA by reporting them to the Police Department.

Russell Greear of 3801 Walton Dr. said that Council needs to go up there and start realizing that they need to protect 100% of the public. They need to make sure that they know what is going on. That is makeshift lighting out there. Those people need safety. They need Council to go up there and protect the people in this town.

Russell Terry of 121 E. Mt. Hope said that Council is devoting too much time to making sure that people sign in. The fringe benefits ordinance will not hold water, he said. Fringe benefits for elected officials should be subject to down grading, if the economical climate worsens. He sympathized with the employees of the Quality Dairy on Pennsylvania and Kalamazoo who will lose hours if the store is forced to close early.

Paget Maynard of 902 W. Shiawassee said it must be true that nice guys finish last and that is why he finished last in the August Primary Election. He will be back, he said. Elected officials should not be eligible for retirement benefits.

Mary Massoglia of 2911 Cooley Dr. thanked everyone who worked on her campaign and the over 2,000 residents who voted for her. The ordinance on fringe benefits should include "at-will" employees and is too little too late now that the damage has already been done.

Todd Heywood of 221 E. St. Joseph said that the City of Lansing needs to provide something for young people to do. No one represents their needs. City Council needs to be more responsive to the needs of people who live in lower income neighborhoods instead of worrying only about their plush homes.

Councilmember Ford objected to Mr. Heywood's assumption that Councilmembers all live in plush homes in ritzy parts of town. Councilmember Brockwell, he said, lives on Bancroft Ct. off of Butler. He, himself, lived on N. Chestnut when he was elected to Council. He knows what poverty is all about and has gone without

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

food and proper clothing. Council works very hard to get jobs into the downtown area. The statements Mr. Heywood has made are not fair. All Councilmembers are concerned about every age group and economical strata in the City.

Council President Canady said that Mr. Heywood's comments were not constructive, or well informed. If Mr. Heywood wants to help and has ideas, he is happy to meet with him to talk about his ideas, however he should not insult Councilmembers without just cause.

Councilmember Lilly said that he senses Mr. Heywood's frustration, however, he has never been contacted by him. He (Lilly) is very active with youth in the community. He is a youth director at his church and a football coach at Everett High School. Mr. Heywood should attend Committee meetings to express his concerns and see specifically what can be done about them.

Lloyd Teets of 116 E. Elm said he has given slews of suggestions to Council regarding Rule #19. He advised Councilmember Ford to keep this rule simple, but his advice was ignored. There will be law suits against this rule. He warned people in the city that their water rates are going to go up. He accused Mayor Crawford of using political motivation in proposing the fringe benefit ordinance.

Mayor Crawford denied this allegation. If his motivation had been political, he would have proposed this legislation before the primary.

Lee Shunk, Jr. of 601 Leslie St. said that the problems at the Quality Dairy at the corner of Pennsylvania and Kalamazoo do not stem from how late the store is kept open. Shutting this store down early will only hurt the stores revenues and services to the community. Maybe the store needs more lighting, or the neighborhood needs a beat cop to walk the area. That would move the criminals out of this area into another one, then maybe they could be caught. He thanked Council for getting the "do not walk" light on Kalamazoo St. fixed. Fringe benefits, he said, should be put on the ballot to allow the voters to decide.

Clyde Smith of 6615 E. Galaway Circle stated that he was appearing on behalf of Officer Bruce Ferguson who was forced to resign from the Lansing Police Department in March of this year for the performance of his duties in 1989. He, himself, was brought up on the same charges. These charges against him were dismissed by Judge Paula Manderfield and by the Internal Affairs Division of the Lansing Police Department. He has since been reinstated to his duties in LPD. The reason he is here is because Bruce Ferguson has not received the same consideration. He is still working three jobs trying to support his family. This was an injustice that should not have happened. He thanked all of his supporters and the members of his family that stood by him. It is time for City Council to take a stance on this issue and try to help Mr. Ferguson.

Andrew Anthos, no address given, waived his speaking time in view of the emergency alarms being sounded in City Hall.

ADJOURNED 8:35 P.M.
MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, August 23, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
August 23, 1993

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by Council President Canady

PRESENT: Councilmembers Beal, Belen, Benavides, Canady, Lilly, Schmidt

ABSENT: Councilmembers Brockwell, Ford

The Invocation and Pledge of Allegiance were led by Councilmember Lilly

MINUTES

By Councilmember Benavides

to approve the Printed Council Proceedings of June 21, 28, and July 6, 1993

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Schmidt

To accept the following under suspension of the rules:

1/ From Councilmember Schmidt; a request that the rules be suspended to allow Mayor Crawford to present a Proclamation commemorating the 30th Anniversary of Doctor Martin Luther King, Jr.'s "I Have A Dream" speech to the Chairwoman of the Martin Luther King Commission

2/ From Councilmember Lilly; a letter from Pastor Rick Hawks of South Baptist Church regarding their Special Land Use request

Carried unanimously

SPECIAL CEREMONIES

A. Mayor Crawford presented a proclamation commemorating the occasion of the 30th Anniversary of Dr. Martin Luther King, Jr.'s famous march on Washington and the presentation of his "I Have A Dream" speech to Dorothy Dean, Chair of the Greater Lansing Martin Luther King Commission. Ms. Dean thanked Mayor Crawford for honoring their group.

SCHEDULED PUBLIC HEARINGS

There were no scheduled public Hearings

PUBLIC COMMENT

Russell Terry of 121 E. Mt. Hope said that only 2 of the 12 houses for which public hearings on DMS are being scheduled look to him as if they should be demolished.

Douglas Fairbanks of 525 E. Mt. Hope spoke in favor of an ordinance providing for the confiscation, by the City, of automobiles involved in prostitution.

John Dougherty of 229 Moores River Dr. spoke on behalf of the South Central Neighborhood Organization in favor of the special land use request for South Baptist Church. He thanked Council and, in particular, Councilmember Lilly for the work put in on this project.

Lewis Pothoff of 1712 W. Miller said that the way to get rid of prostitution is to get rid of the drugs in town. Council should approve the park for Fabulous Acres.

Lloyd Teets of 116 E. Elm said that after the demolition of 140 houses last year he would have thought we would take a break from it this year. During his inspections of the Houses in the DMS program last year he found only 4 out of 100 that met the criteria for dangerous or unsafe houses.

Rick Hawks of 1500 S. Washington Ave., Senior Pastor of South Baptist Church thanked City Council for allowing them to use the City owned lot on Baker street and for helping them come together with the neighborhood in understanding.

COMMUNICATIONS AND PETITIONS

By Councilmember Benavides

That Communications and petitions be considered as being read in full and that the proper referrals be made by President Canady

Carried unanimously

A. Letter from the Board of Water & Light submitting notices mailed to residents in the Moores Park area informing them of the lowering of the River Basin of the Grand River above the Moores Park Dam on September 7th through September 19 in cooperation with the DNR

RECEIVED AND PLACED ON FILE

B. Letter from the Forest View Citizens Association Environmental Committee requesting that City Council direct Public Service Director, Robert Clegg to familiarize himself with the Forest Road Bike Path Issue adopted by City Council on May 7, 1990

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PHYSICAL DEVELOPMENT

C. Letter from the State of Michigan, Department of Treasury, State Assessors Board submitting amendments to their Administrative Rules

REFERRED TO THE MAYOR

D. Notice from the State of Michigan, Department of Natural Resources of a Permit #93-11-0270 for construction in the Grand River issued to the MSU Crew Club

REFERRED TO THE MAYOR

E. Claim from Attorney's on behalf of Lansing Police Sergeant Clyde Smith requesting reimbursement for Legal Fees in the amount of $50,000

REFERRED TO THE MAYOR, CITY ATTORNEY,
AND COMMITTEE ON GENERAL SERVICES

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

F. Claim of William P. Nakfoor of 1116 S. Washington Ave. for a parking ticket and tow charges he incurred for parking on his own property

REFERRED TO THE CITY ATTORNEY

MAYOR MAY COMMENT

Mayor Crawford outlined his letter #2 recommendation for a 14th Community Policing Officer through the use of Community Development Block Grant Funds, letter #3, appointment of Ronald Dungey to the Police Community Relations Board and letter #5, appointment of Ellen Moore to the Mayor's Citizens Advisory Committee on Recycling. He asked that Council pull the resolution approving SLU-04-93—121 Ferguson, and keep it in Committee. Passing this tonight would send the wrong message to the community.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. **RESOLUTION #485**
August 23, 1993

President Canady and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Thomas E. Dutton, Christopher Edward Nowak

Sincerely,
Marilynn Slade, City Clerk
City of Lansing, MI

By Councilmember Schmidt

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

1. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of August 16, 1993 for Review

RECEIVED AND PLACED ON FILE

2. Letter from the City Clerk regarding Minutes of Closed Executive Sessions of the City Council

REFERRED TO THE COUNCIL PRESIDENT

C. Letters from the Mayor re:

1. Disposition of property on Pere Marquette Dr.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

2. **RESOLUTION #486**
TO: Council President Mark Canady and City Councilmembers
FROM: James A. Crawford, Mayor
DATE: August 20, 1993
SUBJ: Recommendation for New Community Policing Officer

The attached resolution is being submitted with my concurrence for your review and appropriate action.

I request that a public hearing be set for Monday, September 7, 1993 at 7 p.m.

By Councilmember Benavides

To accept the recommendations of the Mayor and set a Public Hearing for September 7, 1993 and to refer this matter to the Committee on Ways and Means

Carried unanimously

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

Resolved by the City Council of the City of Lansing that a public hearing be set for Tuesday, September 7, 1993 at 7 p.m. to obtain public comment in consideration of amending the City's Final Statement for Fiscal Year 1992-93 Community Development Block Grant Funds.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers

NAYS:

ABSENT:

3. Appointment of Ronald Dungey to the Police Community Relations Board

RECEIVED AND PLACED ON FILE

4. Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

5. Appointment of Ellen Moore to the Recycling Board

RECEIVED AND PLACED ON FILE

6. Setting a Public Hearing for October 11, 1993 for consideration of Demolish or Make-safe orders on the following properties:

-408 N. Butler
-2418½ N. Forest Ave.
-130½ E. Kilborn
-1707 Turner
-1434 Pontiac

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

7. Setting a Public Hearing for October 11, 1993 for consideration of Demolish or Make-safe orders on the following properties:

-435 N. Butler
-526 & 528 W. Genesee
-524 W. Genesee
-528 Seymour
-425 N. Pennsylvania
-1008 W. Ottawa

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

8. **RESOLUTION #487**
TO: Council President Mark Canady and City Councilmembers
FROM: James A. Crawford, Mayor
DATE: August 20, 1993
SUBJ: Trash Violation Fee (V-27)—$2,486.64

The attached trash violation/assessment fees for removal of trash and debris in the R.O.W. is forwarded with my concurrence for your

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

review and appropriate action.

By Councilmember Schmidt

To accept the recommendations of the Mayor

Carried unanimously

9. R.E. Olds Final Preliminary and Final Plat, Old Diamond Reo Site

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

COMMITTEE REPORTS

RESOLUTION #488

THE COMMITTEE ON PUBLIC SAFETY, to whom was referred the suggestion to adopt an ordinance that would allow the City to seize and sell by auction vehicles belonging to persons actively involved in prostitution, similar to the ordinance in use by the City of Portland, Oregon,

REPORTS AS FOLLOWS: The City Attorney has provided the Committee with an extensive report comparing Portland's ordinance to the procedure used until recently by Wayne County under the Michigan Public Nuisance statute. The procedure used under the statute, according to the Attorney, was challenged and sustained in Circuit Court, but has been stricken by the Michigan Court of Appeals less than a month ago. Appeal has been made to the Michigan Supreme Court. Until this action is finally determined by the Courts, the City Attorney believes that seizure of vehicles used in conjunction with acts of prostitution can no longer be legally done in Michigan.

The Committee complimented the City Attorney on the research effort that produced his excellent report, and has requested that copies of the report be provided to all Councilmembers.

Committee Member Ford asked the Attorney and LPD to resume their investigation into procurement of a storage lot and plans for a seizure program if the Court of Appeals decision is reversed.

This report is for information only, and no Council action is required.

Signed: Alfreda Schmidt
Tony Benavides
Charles Ford

BY COUNCILMEMBER SCHMIDT:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #489

THE COMMITTEE ON PUBLIC SAFETY, to whom was referred the matter of street lighting in neighborhoods,

REPORTS AS FOLLOWS: The Committee discussed this subject with Joe Pandy, General Manager of the Board of Water and Light, due to a recent nighttime rape on North Dexter while street lights were out on that street. Chairperson Schmidt questioned Mr. Pandy about why the street lights were not on that night. Mr. Pandy provided a report on known street lights that are out. The report showed that five lights in the 500 block of Dexter were out due to a scheduled BWL conversion.

Construction activity such as curb and gutter removal can cause damage to street light cable. However, the Public Service Department will continue to work with the BWL to minimize street light downtime.

Mr. Pandy also reported that his staff will be providing LPD with continual updates on neighborhood areas where street lighting is out. Capt. James Cook, Uniform Division commander, advised that LPD will then disseminate this information by means of the Community Services Unit's Hotline recording for Neighborhood Watch Coordinators.

This report is for information only, and no Council action is required.

Signed: Alfreda Schmidt
Tony Benavides
Charles Ford

BY COUNCILMEMBER SCHMIDT:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #490

THE COMMITTEE ON PUBLIC SERVICES, to whom was referred a letter from Arlo and Judy Pull of 1920 South Rundle, regarding problems with the sidewalk on Lenore Avenue in front of their corner-lot home,

REPORTS AS FOLLOWS: The Committee received a verbal report from Jon Dowling from the Public Service Department's Engineering Division. Mr. and Mrs. Pull reported that their sidewalk was replaced in October 1990, but department records show the job was done in October 1991. The section that immediately cracked was supposed to have been replaced yet again during fiscal year 1992-93, but was not scheduled in time. Mr. Dowling assured the Committee that the replacement work at the Pulls property would be done within 30 days of the meeting, which was August 18th. The Committee has directed that staff send a copy of this report to Mr. and Mrs. Pull. This report is for information only, and no Council action is required.

Signed: Robert Brockwell
Tony Benavides
Ellen M. Beal

BY COUNCILMEMBER SCHMIDT

That the report of the Committee be received.

CARRIED UNANIMOUSLY

Auqust 23. 1993

RESOLUTION #491

THE COMMITTEE ON WAYS AND MEANS, to whom was referred the Financial Impact Statement regarding the low income senior citizen housing development proposed by Centrum Development Company;

REPORTS AS FOLLOWS: Centrum Development is requesting a tax abatement in the form of a Payment in Lieu of Taxes (PILOT) associated with the development of a 63 unit apartment complex for low income senior citizens with an income between $12,000 and $20,000 who are age 62 or older.

Centrum Development is an E. Lansing based company who has, over the past nine years, developed similar complexes in numerous cities in Michigan in cooperation with Michigan State Housing Development Authority (MSHDA). MSHDA participation requirements include mandated adherence with EEOC, Affirma-

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

tive Action, and prevailing wage requirements under State of Michigan monitoring and control.

Currently, the City receives $696 in property tax from the undeveloped parcel. Once developed, under current statute, the building and property are anticipated to generate PILOT revenues in the amount of $6,384. Were the development to proceed without an abatement property taxes would be approximately $24,000. The City will also receive approximately $14,000 from permit fees.

The Financial Impact Statement is hereby approved by the Committee, and this matter is now referred to the Physical Development Committee for final review and disposal.

SIGNED: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

That the Report of Committee be approved.

CARRIED UNANIMOUSLY

August 23, 1993

RESOLUTION #492

THE COMMITTEE ON WAYS AND MEANS, to whom was referred the development of a neighborhood park in the Fabulous Acres area;

REPORTS AS FOLLOWS: This park was approved by Ordinance No. 681 adopted on July 9, 1984 as part of a physical development plan for Neighborhood Development Area #4. This park was never developed. On August 2, 1993 the City Council adopted policy that the planned park will now proceed.

At the request of the Committee Mr. Eric Reickel, Director of Parks, presented a cost figure of roughly $3,200 to prepare an updated design. It will cost $4,400 to take this project to "Task 6 Bid & Award". As this project was a CDBG project, the Committee requests the Mayor to appropriate $4,400 from CDBG Contingency for this purpose.

It is anticipated that, based upon the representation of the Planning Director at the July 28 Ways and Means Meeting, construction costs for this project will be included in next year's CDBG Budget, and that construction can begin as early as July 1, 1994.

As a final note, there still remains some question regarding possible environmental contamination at the proposed park site. Again, at the July 28 committee meeting it was represented by Mr. Clegg, Public Service Director, that all contamination will be remedied by November of 1993. The Ways and Means Committee hereby refers this issue to the Committee on Public Services for final review.

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BENAVIDES:

That the Report of Committee be approved.

CARRIED UNANIMOUSLY

August 23, 1993.

RESOLUTIONS

Item #XII A, Approval of a Public Driver License to Maurice Allen Jones, was pulled from the agenda at the request of Councilmember Ford

Item XII B-1, SLU-04-93, 121 Ferguson was pulled from the agenda at the request of Councilmember Lilly

RESOLUTION #493
SLU-2-92
1518 South Washington Avenue

WHEREAS South Baptist Church has requested a Special Land Use permit to utilize the vacant parcel east of 133 Woodlawn Avenue for surface off-street parking incorporating this parcel into the improvements of their entire off street parking lot, the parcel being described as

The west 40 feet of Lot 32, Johnson's Addition, City of Lansing, Ingham County, Michigan; and

WHEREAS the Planning Board has reviewed the report of the Planning Division and recommends approval of the Special Land Use permit subject to conditions; and

WHEREAS the Physical Development Committee of the City Council directed the South Central Neighborhood Organization and the South Baptist Church to meet and resolve concerns which has resulted in an agreement subject to certain conditions; and

WHEREAS the Physical Development Committee of the City Council has reviewed the recommendation of the Planning Board, the agreement between the South Central Neighborhood Organization and the South Baptist Church, and concurs therewith, and has specified conditions;

NOW THEREFORE BE IT RESOLVED that the Lansing City Council approve the Special Land Use permit for the expansion of the South Baptist Church parking lot into the vacant parcel described above in conjunction with the regrading and resurfacing of the existing parking lot subject to the following conditions:

1. That two of the four curb cuts on Moores River Drive be removed. One curb cut will be located at the existing location near the western end of the parking lot and a second curb cut will be located as situated on the drawing dated May 7, 1993, at the eastern end of the parking lot. These will be unrestricted access points.

2. That a specific landscaping plan with plant types, sizes and locations identified will be developed and include, at a minimum, a solid, complete, and continuous screen/buffer along Moores River Drive and Woodlawn Avenue which, at maturity (3-5 years), will obtain a height of at least three feet above the street level, trees of no less than 3 inches in diameter, at the time of planting, shall be placed in an area located between the sidewalk and the roadway on both Moores River Drive and Woodlawn Avenue with appropriate spacing, sets the parking lot away from the sidewalk and Moores River Drive between 6 and 8 feet as shown on the May 7, 1993, drawing and retains the existing setback on Woodlawn Avenue, provides interior landscaping with low impact lighting in the parking lot, and generally improves the appearance.

3. That a 6 foot high solid wood fence will be established along the side and rear property lines of the houses at 133 and 139 Woodlawn Avenue where the properties abut the parking lot as well

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

as along the western boundary of the existing parking lot where it is deemed acceptable to the property owners. Where the solid wood fence is to be installed, the existing chain link fence will be removed and the cost of the solid wood fence along with the installation, etc. and associated costs for removal of the chain link fence are separate from and not to be considered as part of the overall landscaping costs.

4. That the majority of the landscape plan be completed and installed no later than the end of the planting season this year (November 15, 1993) and the remainder of the landscape plan be completed and installed no later than May 1, 1994.

5. That the South Baptist Church obtain a performance bond in the amount of $30,000.00 prior to the initiation of the project.

6. That the Southwest Area Comprehensive Plan, when it is revised/amended, clearly reflect, reaffirm, and define the boundaries of the South Baptist Church community facility designation to include the external northern boundary as Woodlawn Avenue, the external southern boundary as Moores River Drive, and the external western boundary as the existing western edge of the South Baptist Church parking lot.

In approving this request, the City Council found the following:

1. The proposed parking lot addition is designed in a manner harmonious with the character of the adjacent property and the surrounding use.

2. The proposed parking lot addition does not change the essential character of the surrounding property.

3. The proposed parking lot addition will not interfere with the general enjoyment of the adjacent property.

4. The proposed parking lot addition and the overall parking lot improvements including landscape screening and buffering will represent an improvement to the use and character of the parking lot and the surrounding area in general. Also the use will be in keeping with the natural environment of the parcel.

5. The proposed parking lot addition will not be hazardous to adjacent properties or involve uses, activities, materials, or equipment which are detrimental to the health, safety, or welfare of persons or property through the excessive production of traffic, noise, smoke, odor, fumes or glare.

6. The proposed parking lot addition will be adequately served by essential public services.

7. The proposed parking lot addition will not place demands on public services and facilities in excess of current capacity since there is not an increase in hard-surfaced area.

8. The proposed parking lot addition is consistent with the intent and purpose of the Zoning Code and the objectives of the Southwest Area Comprehensive Plan.

9. The proposed parking lot addition will meet the dimensional requirements of the "C" Residential District.

By Councilmember Lilly

Carried unanimously

RESOLUTION #494
1518 South Washington Avenue
South Baptist Church
Parking Lot

WHEREAS over the past number of years South Baptist Church located at 1518 South Washington Avenue has seen it necessary to expand its parking lot in order to serve its congregation; and

WHEREAS the Southwest Area Comprehensive Plan, unanimously adopted by the Planning Board at their meeting of July 15, 1980, designates the property from the west line of the church's existing parking lot to Washington Avenue between Woodlawn Avenue and Moores River Drive for community facility use; and

WHEREAS based upon the analysis and the community input for SLU-2-92, the Planning Board has unanimously resolved to recognize and reinforce the western edge of this community facility designation as contained within the Southwest Area Comprehensive Plan and to affirm the Planning Board's position that any expansion west of the existing community facility designation would not be supported by the Board; and

WHEREAS the Physical Development Committee of City Council has reviewed this matter and concurs therewith, and further recognizes and reaffirms the boundaries of the South Baptist Community Facility designation to include the external northern boundary as Woodlawn Avenue, the external southern boundary as Moores River Drive, and the external western boundary as the existing western edge of the South Baptist Church parking lot;

NOW THEREFORE BE IT RESOLVED that the Lansing City Council concurs with the Planning Board and the Physical Development Committee and recognizes and reaffirms the boundaries of the South Baptist Community Facility designation to include the external northern boundary as Woodlawn Avenue, the external southern boundary as Moores River Drive, and the external western boundary as the existing western edge of the South Baptist Church parking lot.

By Councilmember Lilly

To attach the letter, accepted during Consideration of Late Items, from Pastor Rick Hawks of South Baptist Church, and place an affirmative roll on the resolution

Carried unanimously

August 23, 1993
Councilman Rick Lilly
City of Lansing
119 North Washington Square
Lansing, Michigan 48933

Dear Mr. Lilly

The purpose of this letter is to update and amend the correspondence I sent to you on August 9, 1993.

In conversation regarding South Baptist Church's request for a special land use permit on Woodlawn Avenue, the question of the church's intention to expand north, south, and/or west has been raised by the South Central Neighborhood Organization and city planning.

In making the request for the special land use permit, South Baptist Church recognizes that the city's master plan for this neighborhood limits our expansion west of our existing parking lot as well as north at Woodlawn Avenue and south at Moores River Drive. The church has no plans in the immediate or long range future to request a change to that master plan. Further, as part of our request

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

for approval, we acknowledge and support the continuation of the above limitation in the existing Master Plan and in any revision that may occur to this Plan.

In recent months property owners to our west have contacted us about the possibility of purchasing their property. The church has declined to pursue these inquiries.

South Baptist Church is very grateful for the use of the Baker Street parking lot owned by the City of Lansing. Should that not be available to the church at a point in the future, the church would need to consider any and all options.

South Baptist Church would also like to take this opportunity to commend the city for its' neighborhood police program. It has been very effective and well staffed.

Sincerely,
Rick Hawks, Senior Pastor

RESOLUTION # 495
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the proposed re-appointment of Charles Steinberg as the Service Sector Representative on the Ingham County/City of Lansing Community Corrections Advisory Board, for a new three year term to expire September 17, 1996, is hereby approved.

August 23, 1993

By Councilmember Schmidt

To accept a friendly amendment to the Resolution to add "subject to the approval of the City Attorney" following the word approved.

Carried unanimously

RESOLUTION #496
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on August 30, 1993, Lansing Resident Aaron Houlihan will receive his Eagle Scout Award, the highest achievement in Boy Scouting; and

WHEREAS, Aaron has been actively involved in scouting for 10 years, beginning as a Cub Scout, then moving on to Boy Scout Troop 417, which is chartered to St. Casimir Church; and

WHEREAS, for his Eagle Scout project, Aaron renovated a room at St. Casimir for use by Girl Scouts, and the renovation included initial planning and obtaining materials, then he painted the room, fixed closets and installed shelving to make best use of available space; and

WHEREAS, Aaron was the Salutatorian of the Class of 1993 at Lansing Catholic Central High School, where he was an honor roll student all four years, and he will attend the University of Michigan in the fall to begin his studies in mechanical engineering; and

WHEREAS, Aaron is the oldest son of Thomas and Theresa Houlihan, who also deserve recognition for the values they instilled and the examples they set for their children;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 23rd day of August, 1993, hereby commends and congratulates Aaron Houlihan for his outstanding achievements in scouting, culminating in his attainment of the rank of Eagle Scout.

August 23, 1993

By Councilmember Belen

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Schmidt; a request that the rules be suspended to allow Mayor Crawford to present a Proclamation commemorating the 30th Anniversary of Doctor Martin Luther King, Jr.'s "I Have A Dream" speech to the Chairwoman of the Martin Luther King Commission

THE RULES WERE SUSPENDED AND MAYOR CRAWFORD PRESENTED A PROCLAMATION TO DOROTHY DEAN DURING THE SPECIAL CEREMONIES PORTION OF THE AGENDA

2/ From Councilmember Lilly; a letter from Pastor Rick Hawks of South Baptist Church regarding their Special Land Use request

RECEIVED AND PLACED ON FILE
(ATTACHED TO RESOLUTIONS 493 & 494)

MOTION OF EXCUSED ABSENCE

By Councilmember Schmidt

To excuse Councilmembers Brockwell and Ford from tonight's proceedings

Carried unanimously

MAYOR'S COMMENTS

Mayor Crawford reminded the audience that the Car Capital Celebration, in recognition of General Motor's involvement in the Lansing Community will be held August 27-29, 1993. Please plan to attend the festivities either Friday, Saturday, or Sunday. He said the entire community is experiencing a true sense of tragedy over the crime that has recently hit the area. He thanked the Lansing Police Department for working swiftly to make arrests in these cases. It is a strong deterrent to send the message to criminals that we are putting forth a concerted effort to see that they get arrested for their activities. The demands on the Police Department's time have been exhaustive.

COUNCILMEMBER'S COMMENTS

Councilmember Belen said that she has not yet had an opportunity to thank the voters of Lansing for the vote of confidence she received at the Polls on August 3. She hopes they all go back and vote for her in November. She told Mayor Crawford that she is opposed to the proposal to turn the School for the Blind into a work study area. This would not be good for the neighborhood. Mayor Crawford assured her that his office is working to make sure that this project is conducted in such a way that it is conducive to the good of the neighborhood and the City.

Councilmember Schmidt announced the cancellation of the Public Safety Committee meeting this week.

PUBLIC COMMENTS

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

William Bernstein of 420 Baker St. said that City Council does not have the right to limit public comment to city related matters. Citizens have the right to speak their guts out.

Robert Bennett of 1601 Robertson said that the Car Capital Festival is one of the most beautiful things to happen in this community in recent history. He asked about the status of the street naming in memory of Cesar Chavez. He suggested that the 7 Block Area Community Center be named after Earvin "Magic" Johnson.

Douglas Fairbanks of 525 E. Mt. Hope said that people never know who their next door neighbor might be. Councilmembers, he said, do not live in posh communities.

Lewis Pothoff of 1712 W. Miller Rd. warned Council that there may be a sabotage of the Sparrow Hospital skywalk planned. He complained that the Channel 28 cameras do not focus on Councilmembers Beal and Schmidt. All they show is the back of their heads.

Lloyd Teets of 116 E. Elm reminded the audience that Tuesday night at 7:00 Mayor Crawford will be interviewed by the Board of Ethics regarding the Early Retirement Plan. Wednesday morning at 8:30 Judge Manderfield will hear motions on Rule #19 and next week City Council will revisit the Waste Water Treatment Rate Ordinance and the public will find out that the $60,000 Black & Veatch study was bogus.

William Hubbell of 1003 W. Cavanaugh said his apartment complex still does not have recycling available for its' tenants. Whomever is responsible for placing the stars on the agenda is being capricious about it, he said.

Lee Shunk, Jr. of 601 Leslie said he does not like putting his mailing address on the sign in sheets because he has noticed that when he does he receives more junk mail than usual. He advocates increased business hours for the stores on the Washington Square Mall.

Andrew Anthos, no address given, said he received a letter from the Mayor stating that City government does not have anything to do with the appearance of the Capitol Dome. City Council could still write a letter stating their support of his project. The Civic Center, he said, should be kept open so that big stars do not have to go all the way out to E. Lansing to give performances.

Tim Lewis of 500 S. Pine thanked Councilmember Lilly for trying to be a mediator for Mr. Heywood last week. He complained that there are not enough businesses downtown.

Joan Wright of 2735 Trudy Lane wrote the letter to City Council urging that Mr. Clegg be given direction regarding the Forest Rd. Bike Path. Councilmember Schmidt stated that Mr. Clegg is a key player in this matter and urged Councilmember Lilly to read the original resolution and make sure that Mr. Clegg is at the Physical Development meeting in which this issue is taken up. Councilmember Lilly suggested that this matter be postponed until they find out if the grant money is available. Mayor Crawford said he would talk to Mr. Clegg tomorrow. Councilmember Lilly informed Mrs. Wright that Council staff would contact her to let her know when the committee would be taking the matter up. Mrs. Wright said she knows the grant specifies a deadline and wants to make sure that they meet it.

Dale Johnson of 1015 S. Washington complimented the administration and City Council for the appearance and condition of his neighborhood. It is looking pretty good down there. He invited everyone to visit it.

ADJOURNED 8:40 P.M.
MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, August 30, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
August 30, 1993

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Canady

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Schmidt

ABSENT: Councilmember Lilly

The Invocation and Pledge of Allegiance were led by Council President Canady

CONSIDERATION OF LATE ITEMS

By Councilmember Schmidt

To accept the following under suspension of the rules:

1/ From Councilmember Schmidt; a letter from the Dance Foundation regarding parking problems on S. Cedar St. caused by patrons of Coscarelli's

2/ From Councilmember Schmidt; a letter from Mayor Crawford regarding the revocation of a Cabaret License for Neo's Inc.

3/ From Councilmember Benavides; a letter from Immanuel's Temple Community Church regarding the City's purchase of property adjacent to property owned by the Church

4/ From Councilmember Brockwell; a letter from William J. Calore regarding the location of a single A Minor League Baseball Team in the City of Lansing

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. In consideration of SLU-08-93, 430-440 N. Larch, special land use request filed by Volunteers of America of Greater Lansing for expansion of an existing residential care facility (Item #XII B-3 will reset this public hearing for September 20, 1993)

No Comments were heard regarding this Public Hearing due to it being rescheduled for September 20, 1993

PUBLIC COMMENT

Malinda Hudkins of 5012 S. Pennsylvania spoke in support of the resolution for settlement of her claim against the city.

Lloyd Teets of 116 E. Elm St. protested the resolution setting public hearings for consideration of make-safe or demolish proceedings for properties. He said he hopes the new administration will do away with this program. Councilmember Brockwell said that this is a *make-safe* or demolish procedure. Most of these houses are in the process of being repaired. The property owners are given over a year in most cases to bring their properties up to code. Councilmember Ford said that the property owners are given a more than adequate amount of time to make repairs to their properties. Mr. Teets is only telling one side of this story.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Canady

Carried unanimously

A. Letter from Kaiser Associates, Inc. regarding their "best-in-class benchmarking" program, designed to help cities improve their services

REFERRED TO THE MAYOR

B. Letter from Suzanne Elms-Barclay thanking the Parks and Recreation Department for the Kids Kamp at Mt. Hope School

RECEIVED AND PLACED ON FILE

C. Notice from the National League of Cities of their 1993 Congress of Cities to be held in Orlando, FL December 2-5, 1993

RECEIVED AND PLACED ON FILE

D. Letter from the State of Michigan Department of Transportation enclosing Contract No 93-1364 for reconstruction of Dr. Martin Luther King, Jr. Blvd./Logan St. from Ontario St. to the Bridge over the Grand River

REFERRED TO THE MAYOR

E. Notice of a Public Hearing before the Michigan Public Service Commission for the Customers of Consumers Power Co. Case #U-10380 to be he1d September 7, 1993 at 9:00 A.M.

RECEIVED AND PLACED ON FILE

F. Letters from Continental Cablevision re:

1. Regarding "Must Carry" or "Retransmission Consent" status of Broadcasters on their cable system

RECEIVED AND PLACED ON FILE

2. Notice of Rate Changes in compliance with the Federal Communications Commission Report and Order for Rate Regulations

REFERRED TO ONUFER AND
THE COMMITTEE ON GENERAL SERVICES

3. Regarding submission of franchise required financial information provided annually with the franchise fee paid to the city

REFERRED TO THE CITY ATTORNEY AND
THE COMMITTEE ON GENERAL SERVICES

EXECUTIVE ASSISTANT'S TO THE MAYOR COMMENTS

Mrs. Flaherty announced that the Mayor is absent tonight because he is attending a meeting in the North Lansing Area regarding the recent spate of homicides in the City. She reviewed Mayor Crawford's letters on tonight's agenda. The Mayor is requesting a revocation hearing for the Cabaret license for Neo's. Councilmember Ford requested that the General Services Committee, as

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

the hearing body that approved granting the cabaret license, be the hearing body for the revocation of the cabaret license. President Canady indicated that he would refer the Mayor's request to the Committee on General Services.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. **RESOLUTION #497** August 30, 1993
President Canady and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Balinda June Hoggs

Sincerely,
Marilynn Slade, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of August 23, 1993 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the City Attorney re:

1/ McHart Properties, Ltd. v City of Lansing

RECEIVED AND PLACED ON FILE

2/ City of Lansing v William Smith

RECEIVED AND PLACED ON FILE

3/ Alex Walton v City of Lansing, Personal Injury Case

RECEIVED AND PLACED ON FILE

D. Letters from the Mayor re:

1/ Change of Intent

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

2/ Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

3/ L.C.C. and Fast Trak Parking Rates

REFERRED TO THE COMMITTEES ON PUBLIC SERVICE AND WAYS AND MEANS

4/ Sale of Property—for a portion of the former Diamond Reo Site to Bertsch Real Estate

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

COMMITTEE REPORTS

There were no Committee Reports

RESOLUTIONS

RESOLUTION #498
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, C.J. Solik filed a claim against the City in the amount of $3,370.00 for reimbursement of damages to personal property resulting from an April 20, 1993, sewer main back up into the basement of her residential property at 3607 Glasgow; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the claim and the staff recommendation were reviewed by the Committee on General Services; and

WHEREAS, the Committee determined that the City received 2.8 inches of rain in less than 24 hours during April 19-20, but had no prior knowledge of a blockage in the sewer main, and none of the exceptions to governmental immunity apply to the circumstances of this incident; and

WHEREAS, the Committee acknowledges that during periods of unusually high rainfall, residences along Glasgow are at risk for sewer back ups unless corrective actions are taken by the property owner, and the interim director of Public Service has committed to the preparation of an informational brochure about the sewer system for residents in high risk areas; and

WHEREAS, the Committee recommends that the claim be denied;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to deny the claim of C.J. Solik; and

BE IT FURTHER RESOLVED the Council encourages prompt completion and distribution of the informational brochure noted above; and

BE IT FURTHER RESOLVED the City Clork is requested to notify the claimant of this action.

By Councilmember Ford

August 30, 1993

Carried unanimously

RESOLUTION #499
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Ellen Lurie and Linda Spang filed a claim against the City in the amount of $7,658.29 for reimbursement of damages to personal property resulting from an April 19, 1993, sewer main back up into the basement of their residential property at 3801 Glasgow; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the claim and the staff recommendation were reviewed by the Committee on General Services; and

WHEREAS, the Committee determined that the City received 2.8 inches of rain in less than 24 hours during April 19-20, but had no prior knowledge of a blockage in the sewer main, and none of the

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

exceptions to governmental immunity apply to the circumstances of this incident; and

WHEREAS, the Committee acknowledges that during periods of unusually high rainfall, residences along Glasgow are at risk for sewer back ups unless corrective actions are taken by the property owner, and the interim director of Public Service has committed to the preparation of an informational brochure about the sewer system for residents in high risk areas; and

WHEREAS, the Committee recommends that the claim be denied;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to deny the claim of Ellen Lurie and Linda Spang; and

BE IT FURTHER RESOLVED the Council encourages prompt completion and distribution of the informational brochure noted above; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimants of this action.

August 30, 1993

By Councilmember Ford

Carried unanimously

RESOLUTION #500
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Malinda Hudkins filed two claims against the City in the amounts of $770.00 and $2,378.68 as reimbursement for damages due to sewer backups into the basement of her residential property at 5012 South Pennsylvania on March 28, 1992, and May 29, 1992; and

WHEREAS, the City Attorney's staff recommendation was to deny the claims, which were considered together by the Committee on General Services; and

WHEREAS, the claimant appeared before the Committee, furnishing testimony and evidence in support of her claims, arguing that the City should have known of the defect in the sewer main after the first incident on March 28, and if corrective action had been taken, the May 29 incident would not have taken place; and

WHEREAS, the Committee discovered that the City responded immediately to the problem in the sewer line each time, took steps to alleviate the overload, and thereby caused the water to drain from the claimant's basement each time; and

WHEREAS, the Committee recommends that under the circumstances of this claim, the City should offer to settle the claims for a tota1 of $300.00;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby authorizes the City Attorney to offer the sum of $300.00 as full settlement of the claims of Malinda Hudkins, with the offer to be valid through the close of business on September 10, 1993; and

BE IT FURTHER RESOLVED if the claimant rejects or does not respond to the settlement offer by 5:00 PM on September 10, 1993, this claim shall be considered denied.

August 30, 1993

By Councilmember Ford

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Ford, Schmidt

NAYS: Councilmember Canady

ABSENT: Councilmember Lilly

RESOLUTION #501
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT:

WHEREAS, on November 4, 1986, the voters of the City of Lansing authorized the sale of property commonly known as Priggooris Park which is located in Bath Township and consists of 263 acres of land; and

WHEREAS, the property as been appraised and is being offered for sale at the appraised value; and

WHEREAS, the Michigan Wildlife Habitat Foundation has offer to purchase the Easterly 183 acres at the appraised value; and

WHEREAS, there are other interested parties wishing to purchase the Westerly 80 acres at the appraised value.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Lansing authorizes the City Administration to sell the property commonly known as Priggooris Park in Bath township, more particularly described as:

The East ½ of the Southeast ¼ of Section 20, T5N, R1W, Bath Township, Clinton County, Michigan; Also the Southwest fractional ¼ of Section 21, T5N, RIW, Bath Township; except a parcel of land 300 feet East and West by 400 feet North and South out of the Northeast corner thereof. Also a parcel of land in Bath Township described as beginning at a point 2.25 chains West of the East ⅛ post between Sections 21 and 28, T5N, R1W, thence North 22-½ degrees East 2.43 chains, North 1 degree East 3.23 chains, North 3 degrees West 1.49 chains, North 81 degrees West 1.21 chains, North 24 degrees West 1 chain, North 2 degrees West 3.78 chains, North 30 degrees West 1.31 chains, North 60 degrees West 2.20 chains, North 68-½ degrees West 2.34 chains, North 55 degrees West 1.08 chains, North 33 degrees West .86 chains, North 15 degrees West 1.09 chains, North 44 degrees West 1.75 chains, North 68 degrees West .94 chains, South 33 degrees West 1.25 chains, South 16-½ degrees West 2.02 chains, South 10 degrees West 4.06 chains, South 61-½ degrees West 2.83 chains, North 15 degrees West 3.25 chains, South 82-½ degrees West 3.23 chains, South 13.15 chains, East 17.75 chains to point of beginning.

with the Easterly 183 acres of the parcel being sold to the Michigan Wildlife Habitat Foundation at the appraised value and with the Westerly 80 acres be offered for sale on the open market at the appraised value, with the purchasers paying all closing cost.

BE IT FURTHER RESOLVED that the proceeds from the sales of said property shall be deposited in a special account until a suitable project is identified to meet the intent of the family in honor of Angel Priggooris.

By Councilmember Belen

Carried unanimously

RESOLUTION #502
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

WHEREAS, the Cedar/Larch District Area Master Plan Amendment recommended a disposition plan for surplus city property remaining after construction of Pere Marquette Street; and

WHEREAS, the Master Plan recommended the land sale being authorized by this resolution; and

WHEREAS, the City Administration has recommended that this land be sold to William K. Christofferson and Carol L. Christofferson, owners of Colonial Printing; and

WHEREAS, the land was purchased with Community Development funds and it is proposed to be sold for the amount of the Community Development monies invested in the land, the sum of Fourteen Thousand Seven Hundred Forty and no/100 Dollars ($14,740.00);

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lansing authorizes the City Administration to sell property described as:

A parcel of land within Assessor's Plat No. 36 of Block 243, Original Plat on East ½ of Northeast ¼, Section 16, T4N, R2W, City of Lansing, Ingham County, Michigan; the surveyed boundary of said parcel being described as commencing at the East ¼ corner of said Section 16; thence North 00 degrees 02 minutes 00 seconds East along the East line of said Section 16 a distance of 1281.35 feet to the South line of Shiawassee Street; thence North 89 degree 55 minutes 05 seconds West along the South line of Shiawassee Street a distance of 41.25 feet; thence North 89 degrees 33 minutes 20 seconds West along the South line of Shiawassee Street a distance of 141.19 feet to the point of beginning of this description; thence South 00 degrees 02 minutes 00 seconds West a distance of 260.00 feet; thence South 9 degrees 00 minutes 00 seconds East a distance of 49.15 feet more or less; thence North 89 degrees 24 minutes 14 seconds West a distance of 80 feet more or less to a point on the West line of Lot 40 of said Assessor's Plat No. 36; thence North 00 degrees 14 minutes 40 seconds East along the West line of said Lot 40 a distance of 309.15 feet to the Northwest corner of said Lot 40; thence South 89 degrees 33 minutes 20 seconds East along the North line of Lot 40 of said Assessor's Plat No. 36 a distance of 71.49 feet to the point of beginning; said parcel containing 22,678 square feet more or less.

at a cost which will recapture the funds invested in the purchase of the land by the Community Development Program, the sum of Fourteen Thousand Seven Hundred Forty and no/100 Dollars ($14,740.00) and with the purchaser paying all closing cost.

By Councilmember Belen

Carried unanimously

RESOLUTION #503
By Councilmember Belen

Resolved by the City Council of the City of Lansing that a public hearing be rescheduled and set for Monday, September 20, 1993, at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing a proposed Special Land Use permit, SLU—8-93, 430-440 N. Larch Street, requested by the Volunteers of America of Greater Lansing, Incorporated.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Schmidt

NAYS: None

ABSENT: Councilmember Lilly

RESOLUTION #504
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has requested setting of public hearings on proposed orders to demolish or otherwise make safe dilapidated structures at 12 addresses;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby directs that public hearings be scheduled and announced for 7:00 PM on October 11, 1993, in the 10th floor Chambers of City Hall, for the purpose of receiving public comment on proposed orders to demolish or otherwise make safe dilapidated structures located at:

—408 N. Butler
—435 N. Butler
—524 W. Genesee
—526 W. Genesee
—528 W. Genesee
—2418 ½ N. Forest Ave.
—130 ½ E. Kilborn
—1707 Turner
—1434 Pontiac
—528 Seymour
—425 N. Pennsylvania
—1008 W. Ottawa

By Councilmember Brockwell

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Schmidt; a letter from the Dance Foundation regarding parking problems on S. Cedar St. caused by patrons of Coscarelli's

REFERRED TO THE MAYOR, THE CITY ATTORNEY, AND THE COMMITTEE ON PUBLIC SAFETY

2/ From Councilmember Schmidt; a letter from Mayor Crawford regarding the revocation of a Cabaret License for Neo's Inc.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

3/ From Councilmember Benavides; a letter from Immanuel's Temple Community Church regarding the City's purchase of property adjacent to property owned by the Church

REFERRED TO THE MAYOR AND THE COMMITTEE ON PHYSICAL DEVELOPMENT

4/ From Councilmember Brockwell; a letter from William J. Calore regarding the location of a single A Minor League Baseball Team in the City of Lansing

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

MOTION OF EXCUSED ABSENCE

By Councilmember Belen

To excuse Councilmember Lilly from tonight's meeting

Carried unanimously

MAYOR'S EXECUTIVE ASSISTANT'S COMMENTS

Mrs. Flaherty thanked everyone who made the first annual Car Capital Celebration Festival a huge success. Riverfest is coming this weekend and will bring with it live entertainment, a carnival, a lighted float parade on the river Sunday night and fireworks Monday night. Anyone who requires more information may call Riverfest Office at 483-4499.

COUNCILMEMBER'S COMMENTS

Council President Canady announced that next week's meeting will be held Tuesday rather than Monday in observance of Labor Day.

Councilmember Schmidt reminded everyone that school starts in Lansing this Wednesday. She praised the School Crossing Guards and asked everyone to show their appreciation of the job they do to protect our school children. She asked Mayor Crawford to have the Building Department inspect the property at 120 E. Holmes. There is an abandoned car setting on this property along with many other code violations.

Councilmember Benavides said that the City Engineer has indicated that there would be a number of sidewalk repairs done in the area of Rundle and Lenore streets. Council was to have received a report on this project. He has received several calls from residents in the area wondering if they are targeted for sidewalk repair. He asked that the Mayor's office procure a copy of the report and map from the Public Service Department.

Councilmember Ford reported receiving calls from constituents on Comfort Street and Hall Court who are worried about potential vandalism because the lighting on their street is out. Please have the Mayor's office check into this situation. He requested an update regarding the report of tall grass and weeds at St. Joe Park. The "Gus Macker" that will be held this weekend at Riverfest is one of the biggest in the state. He will be playing and sends his encouragement and wishes good luck to everyone else who will play in the tournament.

Councilmember Belen commended the downtown merchants and the Chamber of Commerce on the activities held over the past weekend in celebration of the Car Capital Festival. She was impressed with the amount of people who attended and hopes the same will happen this weekend at Riverfest. Councilmember Lilly is absent tonight because of illness and, if you are planning to attend this week's regularly scheduled meeting of the Physical Development Committee, please call first to make sure it has not been canceled.

Councilmember Benavides praised the City Attorney for successfully litigating the Alex Walton case. He extended his congratulations to Mr. Knot and his staff for the excellent work they did on this case.

CITIZENS COMMENTS

William Bernstein of 420 Baker St. said that the citizens want to come up to the podium and spill their guts out about everything and President Canady does not have the right to tell people what they can talk about at city council meetings.

Curtis Smith of 3950 Sheffield stated that he is the brother to Clyde Smith and is speaking tonight on behalf of Bruce Ferguson who was charged with the same offenses as his brother. He asked Council to do everything possible to get Mr. Ferguson reinstated to the Police Department. The charges against his brother were completely dropped and he was reinstated to the force, why hasn't Officer Ferguson been reinstated? These charges were totally hyped up, trumped up and made up and should be withdrawn.

Douglas Fairbanks of 525 E. Mt. Hope said the Car Capital Festival was great. There are a lot of fine places and good entertainment in Lansing.

Lee Shunk, Jr. of 601 Leslie St. criticized Council for the specificity of the invocation given at the beginning of their meetings.

Andrew Anthos, no address given, said that no one in state government, or on City Council, with the exception of Councilmember Lilly, is willing to support his D.O.M.E. project. He asked everyone who supports his project, to light the dome of the Capitol in the colors of the American Flag on legal holidays, to write to the State Journal urging the adoption of his project.

William Hubbell of 1003 W. Cavanaugh said the Multi-family recycling project is still not working. Someone, he said, should open up a coffee shop to serve people who attend Council meetings. A good spot for it would be the big hole in the ground between City Hall and Manufacturer's Bank.

Lloyd Teets of 116 E. Elm St. said that he will subpoena many of the people at the dais tonight when his trials begin. He said that the City is supposed to set the rates for Waste Water Treatment, but, they let the Board of Water & Light do it. Council also has authority to review the electric rates set by the Board and change them if they are so inclined.

Vivian Bloom of 237 S. Ada said that she is acquainted with Alma Miateck and her mother. They bought one of the properties whose public hearing for make-safe or demolish proceedings was set tonight. They bought the property at 1834 Pontiac from Sam Usman and have invested $5,000 in renovating the porches on this house. The city has tagged their house and made them move out. Now they have to pay $475.00 per month in rent, in addition to a $300.00 per month house payment. At this rate they cannot afford to make further repairs. She would rather see them living in their house and spending their money by fixing it up.

ADJOURNED 8:10 P.M.

MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, September 7, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
September 7, 1993

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Canady

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Lilly

MINUTES

By Councilmember Schmidt

To approve the Printed Proceedings of July 12, and 19, 1993

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Beal

To accept the following under suspension of the rules:

1/ From Councilmember Beal; a letter from Alan F. Jansen of 1519 Stonehaven, Holt, MI regarding problems with the Building Department

2/ From Councilmember Schmidt; a letter from Governor Engler giving final approval for a Charter Amendment to change the requirements for a candidate getting his name on the ballot

3/ From Councilmember Schmidt; a Resolution of Tribute to Joseph D. Wolf, Assistant General Manager of the Board of Water & Light

4/ From Councilmember Brockwell; Amendment to Chapter 1042, Section 1042.04 of the Code of Ordinances, to Maintain Certain Rates and Charges for Services Furnished by the City Sewage Disposal System, for passage

5/ From Councilmember Lilly; a request that the rules be suspended to allow for presentation of a certificate of appreciation to Glen Freeman for Union Label Appreciation

6/ From Councilmember Lilly; P-01-92, Preliminary Final and Final Plat REO Olds Plat, Old Diamond Reo Site

Carried unanimously

SPECIAL CEREMONIES

A. Lansing School Board President, Nancy Erickson introduced Camille Abood and together they outlined the agenda for the L.E.A.F. Celebration to be held Thursday, September 30, at 6:30 P.M. at the Holiday Inn South, and asked Council to write resolutions of tribute to this year's distinguished graduates. The Middle School Athletics program has been re-instituted this year thanks in part to private donations. It will operate on a participation fee based structure, with the fee for participation being $25.00. This will allow participation in any, and all, athletic programs of choice.

B. Mayor Crawford Introduced R. Eric Reickel, Manager of the Parks & Recreation Department and Mary Winegar who presented Certificates of appreciation to participants of the Hershey Track & Field Meet.

C. Mayor Crawford presented a proclamation to Glen Freeman of the Union Label Counsel in recognition of Union Label Appreciation Week September 6, through September 11, 1993. Mr. Freeman thanked the Mayor for this recognition.

SCHEDULED PUBLIC HEARINGS

A. In consideration of an amendment to the City's F.Y. 1992-93 Community Development Block Grant Final Statement of Objectives and Projected Use of Funds for the purpose of financing an additional Community Policing Officer

Lloyd Teets of 116 E. Elm St. spoke in support of this ordinance. He is in favor of 'Beat Cops' for every neighborhood with a need. The one in his neighborhood has had a tremendous impact on the drug and prostitution problems they used to experience.

Douglas Fairbanks of 525 E. Mt. Hope spoke in support of this amendment and of Mayor Crawford's vision for the city.

Harold Leeman of 529 N. Francis asked which neighborhood will be the recipient of the officer and why does this designate FY 92-93 funds? Councilmember Benavides said the neighborhood has not been identified as yet and requested that the Internal Auditor answer the question regarding identification of funding. Greg Koessel, Internal Auditor explained that the Federal Fiscal Year ends September 30th, and their unexpended funds can be carried over from one year to another.

Russell Greear of 3801 Walton said we need more police substations and said that Council needs to 'go up there' and put Police Officers on Pennsylvania where we had five shootings.

REFERRED TO THE COMMITTEE ON WAYS AND MEANS AND THE COMMITTEE ON PHYSICAL DEVELOPMENT

B. In consideration of an amendment to provide for a Service Charge in Lieu of Taxes for dwelling units in Twin Oaks Meadows low-income, senior citizen complex including:

1. Agreement to prefer City of Lansing firms in the construction of Twin Oaks

2. Agreement to prohibit transfer of the Developer during construction of Twin Oaks

Ken Vaughan of 114 Garden St. asked who the sponsors of this Complex are, why they will be required to guarantee only 15% of the contracts go to Lansing businesses, and what happens to the service charge if the property changes hands. Councilmember Benavides answered that the sponsor is the State of Michigan through the Housing Development Authority (MSHDA). The terms of the agreement will be 35 years. The caveats were negotiated by

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

the City Attorney. This is the first time in the history of this type of agreement that a municipality has been allowed to impose restrictions of this type. City Attorney Knot explained that the caveats are agreements with the developers, they do not affect MSHDA at all, however, MSHDA does enforce the provisions of the contract so that nothing jeopardizes the project.

Lloyd Teets of 116 E. Elm St. asked how the service charge compares with the amount of taxes that would be paid for this property after development, and how much money will come into the city for the fee? Councilmember Benavides said that the amount of the fee is derived by a formula and they do not know the exact amount at this time.

Douglas Fairbanks of 525 E. Mt. Hope asked how many units there are and what constitutes low income? Councilmember Benavides informed him that there would be 63 units and MSHDA guidelines establish the income level.

Harold Leeman of 529 N. Francis asked who the owner of the Development Company is. Councilmember Benavides answered, Centrum. Mr. Leeman requested the names of the owners of Centrum. Councilmember Benavides gave him the name of Robert Ancel of Centrum Development. Mr. Leeman asked where this development would be located. Councilmember Benavides answered that it would be located at the corner of Burneway and Waverly.

Russell Greear of 3801 Walton asked how many units in this development would be reserved for the handicapped? Councilmember Benavides announced that Mr. Ancel is available for questions from the public regarding the specifics of the complex. Councilmember Lilly announced that this issue will be taken up by the Physical Development Committee at their meeting this Thursday at 3:00 P.M. Councilmember Schmidt said that she is in possession of a packet of detailed information regarding the project that she received from Mr. Ancel.

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

PUBLIC COMMENT

Lee Shunk, Jr. of 601 Leslie St. stated his opposition to building a stadium for a Minor League Baseball Team in the city. Too many residents of the city are underemployed and make only enough money to survive on. This should be put on the back burner until that problem is solved.

Ken Vaughan of 114 Garden St. said that Lansing should have some kind of sporting thing going on. It would be good for the people, young and old alike. The only objection he has is financing through the use of taxpayers money.

Lloyd Teets of 116 E. Elm St. said he supports the concept of a minor league baseball team in Lansing only if private investors raise the money to build the stadium. He is opposed to the Wastewater Treatment Rate ordinance because of the structure of the rates.

Tim Lewis of 500 S. Pine St. #1015 said he would love to see a minor league baseball team come to the city, but he has concerns about who will pay for it. The city, he said, is in a big financial crunch and tax payers cannot afford to subsidize a team in this city. This project would be okay if the private sector finances the stadium. Regarding the Cable retransmission consent law, he has already seen some juggling of channels on Continental Cablevision.

Douglas Fairbanks of 525 E. Mt. Hope suggested that parking fees for the proposed baseball stadium be included in the ticket price. He commended Councilmember Benavides and his work at Cristo Rey Community Center.

Mark Eggleston of 4001 Heathgate spoke in support of building a minor leaque baseball stadium in the city and suggested the old Harry Hill site as a location. There are baseball fields already there, vacant land nearby to accommodate parking needs, and it is close to I-496. They could finance the stadium by adding a surcharge to the price of each ticket sold. He urged Council not to let this wonderful opportunity escape.

Harold Leeman of 529 N. Francis said the city needs a consumer oriented consultant to assist the Cable Advisory Board with the new cable law. Councilmember Ford said that we have a very knowledgeable assistant to that board in the form of Mr. Onufer. Mr. Leeman objected that Mr. Onufer is not consumer oriented. He asked for more information about the transfer that will be approved tonight. The proposal for a minor league baseball team in the city is a big joke, he said. Municipal Park and Ranney Park are both under used and Michigan State University is looking to build a baseball stadium. He accused Councilmember Lilly of using this issue as a political ploy to get elected. He questioned the credibility of the author of this proposal, William J. Calore.

Russell Greear of 3801 Walton said the city does not even have a bus system that runs late enough to provide transportation home from baseball games. He too, accused Councilmember Lilly of using this as a political ploy.

Jeffrey Pokone of 430 Pearl St. spoke regarding the Special Land Use Request by Lansing Teen Challenge. He is concerned about a residential care facility for unwed mothers that exists down the street from their proposed facility. He requested that Council look further into this situation.

Brenda Weather of 3328 Swanee Dr. spoke in support of SLU-07-93 for Lansing Teen Challenge.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Canady

Carried unanimously

A. Letter from Vivian Bloom of 227 S. Eighth St. regarding the problems the community is experiencing with the customers of the Quality Dairy Store at the corner of S. Pennsylvania and Kalamazoo

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

B. Notice from the State of Michigan, Department of Natural Resources of a permit issued for construction of R.E.O. Site Access Roadway and Sewerage System

REFERRED TO THE MAYOR

C. Letter from Rehmann & Robson Accounting Firm submitting the Financial Statements and Management letter for the Greater Lansing Convention/ Exhibition Authority as of June 30, 1993

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

D. Letter from Continental Cablevision of Michigan announcing the

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

status of local television stations with the "retransmission consent" provision of the 1992 Cable Act

RECEIVED AND PLACED ON FILE

E. Letter from Representative Dianne Byrum regarding Revenue Sharing Amendments to SB 693, 694, 695

REFERRED TO THE MAYOR

MAYOR MAY COMMENT

Mayor Crawford outlined his letters on tonight's agenda. He asked Council to pass the resolution for fast track and L.C.C. quik card parking rate changes. This is a win win situation for everyone involved. Councilmember Schmidt inquired as to the schedule of the Neighborhood Advisory Board. She would like to give the representatives from the second ward some advance knowledge of when their meetings will be held. Mayor Crawford announced that they will meet this Thursday at 6:30 P.M. in the Mayor's Conference room.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. **RESOLUTION #505** August 30, 1993

President Canady and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

Peddlers/Transient Merchant: Robert L. Brown, Jr.

Sincerely,
Marilynn Slade, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

1. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of August 30, 1993 for Review

RECEIVED AND PLACED ON FILE

2. Letter from the City Clerk notifying Councilmembers of State Attorney General's Approval of Ballot Proposal A for the November 2, 1993 Odd Year General Election

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1/ Annexation—Delhi Township

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT
CC: PARKS BOARD

2/ Neighborhood Advisory Board

RECEIVED AND PLACED ON FILE

3/ Reappointment of Duane Allen to the CATA Board

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

4/ Reappointment of Dirck Terwilliger to the CATA Board

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

5/ Amendment to Chapter 1217, Planning and Zoning Code

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

6/ P-01-92, R.E. Olds Plat, Former Diamond Reo Site

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

7/ P-01-89, Re-approving Final Plat—Jet Place

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

8/ Conveyance of Property at 1006 S. Grand to Straightline Ministries (formerly Frontline Ministries)

REFERRED TO THE CITY ATTORNEY AND THE COMMITTEE ON PHYSICAL DEVELOPMENT

COMMITTEE REPORTS

RESOLUTION #506

THE COMMITTEE ON GENERAL SERVICES, to whom was referred the letter from Continental Cablevision of Michigan, Inc., regarding changes in services and rates for the Lansing cable system to comply with new rules issued by the Federal Communications Commission,

REPORTS AS FOLLOWS: The Committee desires to report to the full Council on whether the City of Lansing should file FCC Form 328, Local Franchising Authority Certification, in order to have federal authority to regulate Continental's rate for basic cable service. Such regulation will create a significant change in the operating relationship between the City and Continental, which has been fundamentally unregulated since 1979. The Committee hereby refers this matter to the Cable Advisory Board for an advisory recommendation. The Board is requested to gather pertinent information on Continental's manner of compliance with the new FCC regulations for inclusion in the report back to the Committee. Continental is requested to fully cooperate with the Board. The Committee requests the Board's report by October 11, 1993.

This report is for information only, and no Council action is required at this time.

Signed: Charles Ford
Alfreda Schmidt
Robert Brockwell

BY COUNCILMEMBER FORD:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #507

THE COMMITTEE ON PUBLIC SAFETY, to whom was referred the report from the Mayor and Traffic Board on the request for traffic control at the intersection of Hughes Road and Moffitt Street,

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

REPORTS AS FOLLOWS: The Committee was advised by the Third Ward Councilmember that he had spoken with the citizen who had made the request for the traffic control at the subject intersection. The citizen now wishes to withdraw his request. The Committee acknowledges the report from the Mayor and the Traffic Board, which recommended denial of the request. This matter is placed on file in the Committee's records, and requires no further Council action at this time.

Signed: Alfreda Schmidt
Tony Benavides
Charles Ford

September 7, 1993

BY COUNCILMEMBER SCHMIDT:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #508

THE COMMITTEE ON PUBLIC SAFETY, to whom was referred the concerns of the surrounding neighborhood over problems caused by Wednesday night 'patio parties' at Coscarelli's, 2420 South Cedar Street,

REPORTS AS FOLLOWS: The Committee examined this situation one month ago, and the owners of Coscarelli's agreed to work with the neighborhood to provide better security and promptly end their outdoor parties at 10 PM. During an update at this past week's meeting, area residents renewed their complaints, saying there had been very little cooperation from the business. The owner of a dance studio at the corner of Rockford and Cedar reported that waitresses from Coscarelli's were routinely parking in her parking lot under orders from their manager. The Committee learned that the owners would soon be prosecuted by the City for zoning violations. In addition, the Coscarelli's outdoor service permit held in conjunction with their liquor license had expired, and the Lansing Police Department has recommended to the Liquor Control Commission that this permit not be renewed. Without outdoor service, the patio parties cannot take place. Therefore, neighborhood problems are expected to abate. The Committee will continue to monitor this situation through contact with neighborhood residents and businesses. This report is for information only, and no Council action is required.

Signed: Alfreda Schmidt
Tony Benavides
Charles Ford

September 7, 1993

BY COUNCILMEMBER SCHMIDT:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #509

BY THE COMMITTEE ON WAYS AND MEANS to whom was referred the matter of a change of intent for purchase of a freon evacuation unit for the Solid Waste program within the Public Service Department,

REPORTS AS FOLLOWS; Regulations related to reduction of freon emissions, often associated with destruction of the upper atmosphere ozone layer, now require evacuation from freezers, refrigerators, and air conditioners for legal disposal. Padnos Iron and Metal is accepting these "white goods" from the City, but charging $15.00 per item for freon evacuation.

The Public Service Department has requested a change of intent within the Bulk Pick-up program to purchase a CFC pressure evacuator unit ($1,029) by transfer from the bulk landfill/disposal account to a new equipment account. Qualified HVAC personnel within Building Maintenance would use this equipment to eliminate freon from bulk goods, thereby saving the $15.00 evacuation charge. On an annual basis, $6,000 to $7,000 per year would be saved. Undetermined further savings would be realized by reuse of evacuated freon. According to Public Service, the task would require minimal manhours and can be accomplished with existing manpower without compromising existing work activities. Thus, it represents unanticipated savings resulting from reorganization and placement of Building Maintenance within the 0 & M Division.

Under the City Council's Budget Monitoring Policy, purchase of equipment which was not originally included in the adopted Budget, and the cost of which exceeds Charter executive transfer authority, requires approval of a change of intent by City Council. The Committee recommends approval of a change of intent to permit purchase of a freon evacuation unit within the Refuse Fund budget. Funding of $1,029 would be transferred from the Bulk program landfill account to a new Bulk Program equipment account.

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt
COMMITTEE ON WAYS AND MEANS

BY COUNCIMEMBER BENAVIDES:

That the Report of Committee be approved.

CARRIED UNANIMOUSLY

September 7, 1993

RESOLUTIONS

RESOLUTION #510

BY COUNCILMEMBER BENAVIDES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mexican American community and the greater Lansing Community at large will celebrate the 183rd anniversary of Mexican Independence on September 19, 1993, as part of Hispanic Heritage Month proclaimed by President Clinton and Governor Engler; and

WHEREAS, on September 16, 1810, Father Hidalgo, a mestizo Catholic priest, led the first insurrection to liberate the indigenous people of Mexico from Spanish oppression, although independence was not achieved until 1821; and

WHEREAS, on that fateful September day in 1810, Father Hidalgo rang the bell of his parish church with the shout, 'Mexicanos, Viva Mexico!' (Long live Mexico!); and

WHEREAS, this historic day will be commemorated in Lansing by the Hispanic Cultural Center with a cultural festival on September 18 and 19, 1993;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby joins the Hispanic community in celebrating one of the

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

most important events in Mexican history: Mexican Independence Day.

By Councilmember Benavides

Carried unanimously

RESOLUTION #511
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Michael Godfrey filed a claim against the City in the amount of $328.85 in protest of a special assessment for a trash removal at his residential property at 112 Isbell Street; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim, which was concurred in by the Claims Review Committee; and

WHEREAS, the claimant appealed the denial to the City Council and appeared before the General Services Committee, furnishing testimony and evidence in support of the claim; and

WHEREAS, the Committee determined that the claimant was cited for a trash violation and was given proper notice, but did not correct the condition within the compliance period, and the City's contractor was assigned to clean up the property; and

WHEREAS, the Committee found that the claim was without merit and recommended that the appeal be denied; and

WHEREAS, the claimant asked for reconsideration, and the Committee reviewed the matter again with the same result;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with the recommendation of the Committee on General Services to uphold the Claims Review Committee's denial of the claim of Michael Godfrey; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

September 7, 1993

By Councilmember Ford

Carried unanimously, Councilmember Brockwell absent for the vote on this item

Item XII C 1, SLU-07-93, Special Land Use request for 1017 E. Oakland was pulled from the agenda at the request of Councilmember Lilly

Resolution #512
Committee on Physical Development
Sale of Lot 3, R. E. Olds Plat
Bertsch Real Estate Company

WHEREAS, the City of Lansing is desirous of selling Lot 3 of the R.E. Olds Plat to the Bertsch Real Estate Company for the purpose of constructing a warehouse facility to be leased to the Bertsch Company, a plumbing supply distribution business, and

WHEREAS, an agreement has been drawn up and approved as to form by the City Attorney on August 24, 1993, for the stipulated price of $16,000.00/acre or a total of $39,552.00, and

WHEREAS, the sale of this parcel for a wholesale distribution business is in compliance with the zoning District and compatible with the Southeast Area Master Plan,

WHEREAS, the Physical Development Committee of the Lansing City Council has reviewed the approved contract and concurs therein:

NOW THEREFORE BE IT RESOLVED that the Lansing City Council authorize the execution of the approved sales agreement contract between the City of Lansing and the Bertsch Real Estate Company for Lot 3, R.E. Olds Plat for $39,552.00 subject to all terms and conditions contained therein and subject to the final approval, filing and recording of the R.E. Olds Plat.

By Councilmember Lilly

Carried unanimously

RESOLUTION #513
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, an investor group has reported to the City its interest in acquiring a professional minor league baseball team and locating the franchise in Lansing; and

WHEREAS, a key component of such an effort would be the availability of a City owned baseball stadium that could serve the team's needs and meet the facility standards established in the Professional Baseball Agreement; and

WHEREAS, the Committee on Physical Development has discussed this matter, including the potential benefits to the community of having a professional baseball team based here, and has recommended that the Council support exploration of the City commitments that would have to be made;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby expresses support for private efforts to bring a minor league baseball team to Lansing; and

BE IT FURTHER RESOLVED the Council directs the Council President to appoint a Blue Ribbon Committee of citizens to be charged with responsibility for identifying potential sites, developing a cost estimate for constructing a 5,000-seat stadium, and recommending a method of financing the construction; and

BE IT FINALLY RESOLVED that the Committee shall submit its findings and recommendations to the City Council not later than November 1, 1993.

September 7, 1993

By Councilmember Lilly

Carried unanimously

RESOLUTION #514
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

NOW, THEREFORE, BE IT RESOLVED. that the Mayor's appointment of Frederick D. Rieger to the Public Service Board for a term to expire June 1994, is hereby confirmed.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #515
BY THE WAYS AND MEANS AND
PUBLIC SERVICES COMMITTEES

WHEREAS, the Mayor has proposed several parking rate changes to be implemented for the Lansing Municipal Parking System; and

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

WHEREAS, these changes have been reviewed by the Committee on Ways and Means and the Committee on Public Services;

NOW, THEREFORE BE IT RESOLVED, the Lansing City Council hereby approves the following parking rates:

1. The Quik Kard hourly parking rate in the North Capitol Parking Ramp will be 40¢ for Lansing Community College students.

2. The Fast Trak monthly parking lot rate will be $20/month.

3. The daily and special event parking rate for the Lansing Center, Civic Arena and Fast Trak lots will be $3.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #516
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following FY-93 transfers be approved:

$5,715.25 from Potter Park Zoo Fund
Estimated Revenues 509-0-170001-0

$5,715.25 to Potter Park Zoo Fund
Budget Control 509-783835-992200-0

(Net proceeds above original appropriation of Potter Park parking fees earmarked for capital improvements per City Council policy. To memo account 509-783835-970000-0.)

$28,100 from Cem. Fd. Retained Earnings
516-0-395001-0

$28,100 to Cem. Fd. Bgt. Ctrl. 516-173840-992200-0

(Fund adjustment due to expenses exceeding revenues plus General Fund subsidy for FY-93. To memo accounts 516-173840-713100-0, $1,450, and 516-173841-706000-0, $26,650.)

Submitted by: Cleophus Boyd, Jr.
Executive Assistant to the Mayor

By Councilmember Brockwell

Carried unanimously

RESOLUTION #517

RESOLUTION OF SPECIAL TRIBUTE
TO JOSEPH D. WOLFE

WHEREAS Joseph D. Wolfe has served this community with distinction as Assistant General Manager of the Board of Water and Light since 1972, and

WHEREAS, his career in the utility industry in both Wisconsin and Michigan has spanned over four decades, and

WHEREAS, Joe's state and local involvement is notable, serving as Chairperson of the Michigan Public Power Agency, president of the Board of Directors of Michigan Municipal Electric Association, and Chairman of the Michigan Municipal Electric Cooperative Group, and

WHEREAS, his abilities are also well known on the National Scene, having participated in the American Public Power Association in many capacities over the years, including serving as a member of the DEED (Demonstration of Energy Efficiency Development) Board of Directors from 1986 through 1992, and as its' Vice Chairman from 1988 through 1992, and

WHEREAS, the citizens of Lansing can be extremely proud to have one of the very finest public utilities in the United States, thanks, in large measure, to Joe Wolfe's excellent management, and

WHEREAS, Joe and Sue will soon be blazing new trails in the enjoyment of retirement with their wonderful family and many friends,

NOW, THEREFORE, BE IT RESOLVED, the City Council of the City of Lansing hereby officially salutes the career of Joseph D. Wolfe, and

BE IT FINALLY RESOLVED, on behalf of the citizens of Lansing, we wish Joe and Sue many happy and health years of retirement.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #518
P-1-92
R.E. Olds Plat, Old Diamond Reo Site
Final Preliminary and Final Plat

WHEREAS Snell Environmental Group, Inc., representing the City of Lansing, is requesting reapproval of the final preliminary and final plat of R.E. Olds Plat; and

WHEREAS tentative preliminary plat approval was received from the City Council on August 10, 1992; and

WHEREAS the Planning Board on June 15, 1993 reviewed and approved the final preliminary and final plat submission of R.E. Olds Plat subject to conditions; and

WHEREAS the City Council on July 6, 1993, unanimously approved the final preliminary and final plat subject to conditions; and

WHEREAS the Planning board on August 31, 1993, reapproved the final plat subject to conditions in order to achieve a proper sequence of signatures on the plat; and

WHEREAS the Committee on Physical Development has reviewed the matter and concurs with the Board,

NOW THEREFORE BE IT RESOLVED that the Lansing City Council rescinds its action of July 6, 1993, regarding P-1-92 and readopts the final preliminary and final plat of R.E. Olds Plat subject to the following conditions:

1. That the final plat be developed with all public improvements as required by the Lansing Subdivision Regulations and the State of Michigan Plat Act.

2. That all utility easements be established and provided as needed.

3. That all requirements and moditifications of public agencies involved with review and development of the site be met as directed.

4. That the street name for the cul-de-sac be cleared as appropriate.

5. That a Deed or Abstract of Title, accompanied by an attorney's opinion as to the marketability of the land, or a Certificate of Title Insurance be submitted to the City Clerk prior to the signing of the Plat and the affixing of the Municipal Seal.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

BE IT FURTHER RESOLVED that the City Clerk be directed to inform the applicant of said action.

By Councilmember Lilly

Carried unanimously

ORDINANCES FOR INTRODUCTION

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by:

Adding a new Chapter, Chapter 1217, for the purpose of better assisting the city in meeting the national objectives established for the Community Development Block Grant program by defining "Blighted, Deteriorated, or Deteriorating Areas"; by authorizing the use of CDBG funds for rehabilitation and improvement activities on an area wide basis and; authorizing the Council to designate the boundary of such an area by resolution.

Was introduced by Councilmember Lilly, read a first and second time by its title and referred to the Committee on Physical Development.

RESOLUTION #519
BY COUNCILMEMBER LILLY

RESOLVED BY THE LANSING CITY COUNCIL, that a public hearing be set for Monday, September 13, 1993 at 7:00 p.m. in the Council Chambers, 10th Floor, Lansing City Hall, 124 W. Michigan Avenue, Lansing, Michigan for the purpose of considering an amendment to the Planning and Zoning Code by adding a new Chapter, Chapter 1217 which will allow the city to define "Blighted, Deteriorated or Deteriorating Areas", delineate boundaries of such areas by resolution, and assist in meeting national housing objectives by utilizing CDBG funds appropriately within those geographic areas.

Carried unanimously

ORDINANCES FOR PASSAGE

By Councilmember Brockwell:

That we proceed to the passage of Ordinances.

By Councilmember Brockwell:

That the Ordinance when read be considered as read in its entirety.

BY THE COMMITTEE ON PUBLIC SERVICES

By Councilmember Brockwell:

Resolved by the City Council of the City of Lansing that an Ordinance to Ammend Chapter 1042, Section 1042.04 of the Codified Ordinances of the City of Lansing, Michigan for the purpose of Maintaining Certain Rates and Charges for Services Furnished by the City Sewage Disposal System as Adopted by City Council on June 28, 1993, be placed on order of immediate passage.

BY THE COMMITTEE ON PUBLIC SERVICES

By Councilmember Brockwell:

Resolved by the City Council of the City of Lansing that an Ordinance to Ammend Chapter 1042, Section 1042.04 of the Codified Ordinances of the City of Lansing, Michigan for the purpose of Maintaining Certain Rates and Charges for Services Furnished by the City Sewage Disposal System as Adopted by City Council on June 28, 1993, be now passed.

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Lilly, Schmidt

NAYS: Councilmember Ford

ABSENT: None

By Councilmember Lilly

This Ordinance, being necessary for the immediate preservation of the public peace, health, or safety, shall take effect upon its' passage

MOTION ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Lilly, Schmidt

NAYS: Councilmember Ford

ABSENT: None

ORDINANCE NO. 867

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 1042, SECTION 1042.04, FOR THE PURPOSE OF MAINTAINING CERTAIN RATES AND CHARGES FOR SERVICES FURNISHED BY THE CITY SEWAGE DISPOSAL SYSTEM AS ADOPTED BY CITY COUNCIL ON JUNE 28, 1993.

The City of Lansing ordains:

Section 1. That Part 10, Chapter 1042.04 of the Code of Ordinances of the City of Lansing, Michigan be amended to be read as follows:

1042.04 AMOUNTS; BILLING.

(A) METHOD OF CHARGING. THE RATES AND CHARGES FOR SERVICES FURNISHED BY THE CITY SEWAGE DISPOSAL SYSTEM SHALL BE LEVIED UPON EACH LOT OR PARCEL OF LAND, BUILDING OR PREMISES HAVING ANY SEWER CONNECTION WITH THE SYSTEM, ON THE BASIS OF THE QUANTITY OF WATER USED THEREIN, AS THE SAME IS MEASURED BY METERS THEREIN USED, OR IN THE ABSENCE THEREOF BY SUCH EQUITABLE METHOD AS SHALL BE DETERMINED BY THE DIRECTOR OF PUBLIC SERVICE WITH THE APPROVAL OF COUNCIL.

SUCH CHARGES SHALL BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS PROVIDED FOR THE PAYMENT OF CHARGES FOR WATER USED, EXCEPT IN CASES WHERE THE CHARACTER OF THE SEWAGE FROM A MANUFACTURING OR INDUSTRIAL PLANT, BUILDING OR PREMISES IS SUCH THAT UNREASONABLE ADDITIONAL BURDEN IS PLACED UPON THE SYSTEM GREATER THAN THAT IMPOSED BY THE AVERAGE SEWAGE DELIVERED TO THE SYSTEM PLANT. IN SUCH CASE, THE ADDITIONAL COST OF TREATMENT CREATED THEREBY SHALL BE AN ADDITIONAL CHARGE OVER THE REGULAR RATES SET FORTH IN SUBSECTION (B) HEREOF, OR THE CITY MAY, IF IT DEEMS IT ADVISABLE, COMPEL SUCH MANUFACTURING OR INDUSTRIAL PLANT, BUILDING OR PREMISES TO TREAT SUCH SEWAGE IN SUCH MANNER AS SPECIFIED BY THE CITY BEFORE DISCHARGING SUCH SEWAGE INTO THE SEWAGE DISPOSAL SYSTEM.

RATES FOR ALL USERS OBTAINING ALL OR PART OF THEIR WATER SUPPLY FROM SOURCES OTHER THAN THE CITY'S WATER SYSTEM MAY BE DETERMINED BY GAUGING OR METERING THE ACTUAL SEWAGE ENTERING THE SYSTEM OR BY METERING THE WATER USED, IN A MANNER ACCEPTABLE TO COUNCIL. THE COMMODITY CHARGE FOR RESIDENT

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

USERS SHALL BE COMPUTED ON THE BASIS OF 700 CUBIC FEET PER MONTH PER CUSTOMER, WHERE GAUGING OR METERING IS NOT PRACTICAL.

COUNCIL MAY CLASSIFY THE USERS OF THE SYSTEM ACCORDING TO THE QUANTITY AND QUALITY OF WATER USED AND CHARGE SUCH RATES TO USERS IN EACH CLASS AS IT MAY DEEM REASONABLE.

(B) **SCHEDULE OF REGULAR RATES.** THE MONTHLY RATE TO BE BILLED FOR USE OF THE SYSTEM SHALL BE AS FOLLOWS FOR ALL USERS WITHIN THE SANITARY SEWER SERVICE AREA OF THE CITY, EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION:

(1) **BILLING AND COLLECTION CHARGE.**

A. EXCEPT FOR WEST SIDE WATER DISTRICT CUSTOMERS, ONE DOLLAR AND NINETY-SIX CENTS ($1.96) PER CUSTOMER, PER MONTH, ASSOCIATED WITH METER READING AND BILLING EXPENSES, SHALL BE CHARGED BY THE BOARD OF WATER AND LIGHT.

B. WEST SIDE WATER DISTRICT CUSTOMERS SHALL BE CHARGED ACTUAL CUSTOMER COSTS ASSOCIATED WITH METER READING AND BILLING PER QUARTERLY BILL.

(2) **COMMODITY CHARGE.** ALL CLASSIFICATIONS OF CUSTOMERS SHALL BE CHARGED ONE DOLLAR AND FIFTY-ONE CENTS ($1.51) PER 100 CUBIC FEET OF WATER USAGE.

(3) **INFILTRATION AND INFLOW CHARGE.**

A. RESIDENTIAL CLASSIFIED USERS SHALL BE CHARGED SEVENTY NINE CENTS ($.79) PER 100 CUBIC FEET OF WATER USAGE FOR ASSOCIATED INFILTRATION AND INFLOW COST.

B. COMMERCIAL AND INDUSTRIAL CLASSIFIED USERS SHALL BE CHARGED AS FOLLOWS:

1. THREE DOLLARS AND FORTY-SIX CENTS ($3.46) PER CUSTOMER PER MONTH.

2. THIRTY CENTS ($0.30) PER 100 CUBIC FEET OF WATER USAGE FOR ASSOCIATED INFILTRATION AND INFLOW COSTS.

(4) **DELAYED PAYMENT CHARGE.** A DELAYED PAYMENT CHARGE OF FIVE PERCENT OF THE UNPAID BALANCE, EXCLUDING DELAYED PAYMENT CHARGES, SHALL BE ADDED TO ANY BILL NOT PAID ON OR BEFORE THE DUE DATE SHOWN THEREON.

(5) **EXTRA-STRENGTH WASTE SURCHARGE FOR BOD.** TWENTY-ONE CENTS ($0.21) PER POUND ON ALL CONTRIBUTED VOLUME IN EXCESS OF 1.0 MILLION GALLONS PER DAY AND A CONCENTRATION IN EXCESS OF 300 MG/L, OR A CONTRIBUTED LOADING IN EXCESS OF 2,500 POUNDS PER DAY WITH A DISCHARGE VOLUME LESS THAN 1.0 MILLION GALLONS PER DAY.

(6) **EXTRA-STRENGTH WASTE SURCHARGE FOR SUSPENDED SOLIDS.** NINE CENTS ($0.09) PER POUND ON ALL CONTRIBUTED VOLUME IN EXCESS OF 1.0 MILLION GALLONS PER DAY AND A CONCENTRATION IN EXCESS OF 350 MG/L, OR A CONTRIBUTED LOADING IN EXCESS OF 2,900 POUNDS PER DAY WITH A DISCHARGE VOLUME LESS THAN 1.0 MILLION GALLONS PER DAY.

(7) **SERVICE CHARGE.** FOUR DOLLARS AND SEVENTY-FIVE CENTS ($4.75) PER COMMERCIAL AND INDUSTRIAL CLASSIFIED USERS PER MONTH TO RECOVER THE REMAINING ALLOCATED CUSTOMER COST ASSOCIATED WITH THE INDUSTRIAL PRETREATMENT PROGRAM (IPP).

(8) **INDUSTRIAL AND COMMERCIAL MONITORING CHARGES:**

A. COMPOSITE SAMPLE. TWO HUNDRED TWENTY-SIX DOLLARS ($226.00) EACH.

B. GRAB SAMPLE. NINETY DOLLARS ($90.00) EACH.

C. LABORATORY ANALYSIS. THIRTY-TWO DOLLARS ($32.00) EACH.

(C) **EFFECTIVE DATE.** THE RATES SET FORTH IN THIS SECTION SHALL BE EFFECTIVE ON SEPTEMBER 28, 1993, EXCEPT AS OTHERWISE PROVIDED. A BILLING COVERING USE OF THE SYSTEM BEFORE AND AFTER THE EFFECTIVE DATE OF A RATE CHANGE SHALL BE PRORATED, BASED UPON THE AVERAGE USE PER DAY AND THE NUMBER OF DAYS WITHIN SUCH BILLING PERIOD, AT THE RATE THEN IN EFFECT.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by City Council.

Section 4. This ordinance shall be effective beginning September 28, 1993 and shall be effective up to and including December 31, 1993, at which time it shall automatically expire unless readopted by City Council.

GIVEN IMMEDIATE EFFECT BY MOTION OF COUNCILMEMBER LILLY

MARILYNN SLADE, CITY CLERK

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Beal; a letter from Alan F. Jansen of 1519 Stonehaven, Holt, MI regarding problems with the Building Department

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

2/ From Councilmember Schmidt; a letter from Governor Engler giving final approval for a Charter Amendment to change the requirements for a candidate getting his name on the ballot

RECEIVED AND PLACED ON FILE

3/ From Councilmember Schmidt; a Resolution of Tribute to Joseph D. Wolf, Assistant General Manager of the Board of Water & Light

HANDLED AS RESOLUTION #518

4/ From Councilmember Brockwell; Amendment to Chapter 1042, Section 1042.04 of the Code of Ordinances, to Maintain Certain Rates and Charges for Services Furnished by the City Sewage Disposal System, for passage

HANDLED AS ORDINANCE #867

5/ From Councilmember Lilly; a request that the rules be suspended to allow for presentation of a proclamation in recognition of Union Label Appreciation to Glen Freeman of the Union Label Counsel

THE RULES WERE SUSPENDED AND MAYOR CRAWFORD PRESENTED A PROCLAMATION RECOGNIZING SEPTEMBER 6 THROUGH 11, 1993 AS UNION LABEL WEEK

6/ From Councilmember Lilly; P-01-92, Preliminary Final and Final Plat REO Olds Plat, Old Diamond Reo Site

HANDLED AS RESOLUTION #519

MAYOR'S COMMENTS

Mayor Crawford requested that his office be made an additional

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

referral for the letter from Mr. Jansen. He announced that trash pickup will be one day late this week due to the holiday on Monday. He congratulated Harold Leeman on his 25 day bicycle trip to the Porcupine Mountains and back. This year's Riverfest was a terrific success, he said, and he thanked everyone involved in helping to make it so. This event gets better and better every year.

COUNCILMEMBER'S COMMENTS

Councilmember Brockwell asked Harold Leeman if he had any flat tires on his road trip.

Councilmember Schmidt said that Councilmember Beal, prior to leaving the meeting, asked her to announce a community picnic sponsored by the Potter/Walsh Neighborhood Association. The picnic will be held September 11, 1993 at the Holmes St. school. Everyone is invited to attend and bring a dish to pass. Hot dogs will be provided by the association. Riverfront Park was in excellent condition for this year's Riverfest and she was impressed with how well entertained and cared for the children were. The Market Vendors were out and she hopes they had a successful weekend. She would be happy to bring an event such as this to the Second Ward.

Councilmember Ford said he spent most of his time at the 'Gus Macker' courts this weekend. He only saw one incident in which Police were involved and it was handled very well. This is a great time for everyone.

Councilmember Benavides told Mayor Crawford that he would be receiving calls from citizens regarding the Neighborhood Advisory Board. He announced a community festival at 'Shanora's' at the intersection of Holmes Rd. and Pleasant Grove on Saturday, September 11, 1993.

CITIZEN'S COMMENTS

William Bernstein of 420 Baker St. said that City Hall has double crossed him. President Canady has no right, he said, to tell the people they can only speak about city related matters at City Council meetings.

Lee Shunk, Jr. of 601 Leslie St. spoke regarding compliance with the new cable law.

Mary Haney of 1312 Roosevelt spoke on behalf of the reinstatement of Officer Bruce Ferguson to the Lansing Police Department. Officer Ferguson and Sergeant Smith deserve justice and the North end needs this justice for them.

Mark Eggleston of 4001 Heathgate thanked Councilmember Lilly, Councilmember Benavides, and Representative David Hollister for attending the Lansing Neighborhood Picnic. He thanked Beth London of the Transportation Department for helping him get trees trimmed. He thanked Tony Noyola from Parks and Recreation for the Little League Baseball season. David Hollister, he said, is using dirty campaign strategies for the November election.

Mary Massoglia of 2911 Cooley read from a letter written by attorney's for Sergeant Clyde Smith requesting payment of his attorney's fees.

Vivian Bloom of 227 S. Eighth continued reading from the letter regarding payment of Sergeant Smith's attorney's fees.

Tim Lewis of 500 S. Pine #1015 completed the reading of the letter regarding Sergeant Smith's attorney's fees.

Lloyd Teets of 116 E. Elm criticized Council for their lack of support for Sergeant Smith, because, they were willing to spend $125,000 to defend their own illegal actions. He denounced Mayor Crawford for purportedly lying about his comments to a taxi driver last fall. Mayor Crawford objected to Mr. Teets accusations, saying that his comments to the taxi driver were not accurately represented.

Harold Leeman of 529 N. Francis asked for an update on the situation with the State on TIFA funding. Mayor Crawford answered that we are at the mercy of the state legislators. The City is lobbying for reimbursement, but it is not in our hands. A dateline has been discussed by the state, but, we do not know if they will hold to it. Mr. Leeman commented on the article that appeared in the State Journal written by attorneys for former Mayor McKane.

Russell Greear asked Council what they plan on doing about the ADA violations in City Hall? He is tired of people "going up here and not doing anything for the handicapped. Council needs to start going up there and start respecting the handicapped population."

Tom Shields of 1118 Riley complained that the City has changed the names of streets that were named in memory of American heroes and obstructed the view of the State Capitol by allowing the construction of the 'Lilly Bridge', now they want to change the name of Saginaw street. Lansing, he said, used to have a pro-baseball team named the Lansing Senator's. We had a pro-hockey team too, called the Lansing Lancers. These teams all failed. Council should read "The City in the Forest".

Douglas Fairbanks of 525 E. Mt. Hope said that the channels who refuse to give Continental Cablevision retransmission consent will lose out because people will just watch another channel.

ADJOURNED 10:10 P.M.

MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, September 13, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
September 13, 1993

The City Council of the City of Lansing met in regular session and was called to order at 7:10 P.M. by President Canady.

PRESENT: Councilmembers Beal, Schmidt, Benavides, Ford, Canady, Belen, Lilly, Brockwell

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Schmidt.

CONSIDERATION OF LATE ITEMS

By Councilmember Lilly

To accept the following under suspension of the rules:

1/ From Councilmember Lilly; a resolution to request the Mayor to contact local banks to obtain requirements investors would have to meet in order to obtain a $10,000,000 loan in conjunction with the possible relocation of a minor league baseball team

2/ From Councilmember Beal; a letter from Ampco Parking regarding their municipal parking operation

3/ From Councilmember Ford; a report from the Committee on General Services setting a revocation hearing for Neo's cabaret license on Wednesday, September 15, 1993 at 4:00 p.m. in the 10th floor conference room

4/ From Councilmember Ford; a letter from Daniel M. Zavadil of the law offices Shafer & Maier, P.C. requesting recusal of Alfreda Schmidt from acting as a panel member at the September 15, 1993 revocation hearing of Neo's cabaret license

Carried unanimously

SPECIAL CEREMONIES

A. Executive mayoral assistant, Cleophus Boyd presented visiting international journalists Wangui Gachie and Irina Osa'dhaya proclamations naming the week of September 13-17 in their honor.

SCHEDULED PUBLIC HEARINGS

A. In consideration of an Amendment adding a New Chapter, Chapter 1217 for the purpose of defining Blighted, Deteriorated, or Deteriorating Areas

Douglas Fairbanks of 525 E. Mt. Hope said that the house next door to the Salvation Army on Pennsylvania Avenue is in a blighted, deteriorated and deteriorating condition.

Lee Shunk, Jr. of 601 Leslie St. said that although he is in support of the amendment, he hopes the council will take care in defining what is a blighted, deteriorated or deteriorating area.

Harold Leeman of 529 N. Francis asked why this item was placed on the agenda once again. Sid Worthington of the Planning Department responded that they had made an error in advertising the public hearing, therefore, it was rescheduled. Mr. Leeman said that he hoped comments on this matter from previous tapes will go on record.

Sue Eby of 801 Durant said she feels the ordinance amendment is a step backward because naming blighted districts by resolution does not provide for significant citizen involvement. She said she feels citizen involvement is key to the success in improving these districts.

Ken Vaughan of 114 Garden St. wanted to know if criteria had been established for determining what would be considered blighted areas. Councilmember Lilly responded that the Planning Department establishes the criteria following the HUD guidelines.

Lloyd Teets of 116 E. Elm said the public does not realize what is happening with the amendment to the ordinance. He said the Council is covering their behinds because of wrong doings in the past and that the amendment will be a cover up. He said the City should have followed the Federal guidelines in the first place.

Russell Greear of 3801 Walton Dr. wanted to know why the only blighted district identified is near Councilmember Belen's store, since there are so many other areas in the City that need attention.

Councilmember Lilly responded that the area known as "College Town", north of Councilmember Belen's store, is the specific area which was named in the Federal audit. Ellen Beal asked if the area did not originally qualify for Community Block Grant monies. Sid Worthington of the Planning Department said this area did originally qualify, however, because of the previous administration's misinterpretation of the HUD rules, it is now necessary to clarify the designation by resolution. Councilmember Beal wanted to know what safeguards are in place to keep developers from coming forward in the future to ask the council to designate an area as a blighted district to take advantage of Community Block Grant monies. Sid Worthington stated that safeguards are in place because the areas have to be actual slum areas in order to qualify. Councilmember Lilly stated that the passage of the ordinance would provide an extra safeguard.

PUBLIC COMMENT

Robert Ancell of 5000 Northwind Drive, East Lansing identified himself to the council and offered to answer any questions people might have regarding the Twin Oaks project.

Douglas Fairbanks of 525 E. Mt. Hope wanted to know what the service charge in lieu of taxes would be and whether pets would be allowed. Council President, Mark Canady responded that the service charge would be the 4% difference between the utilities and rent.

Dale Johnson of 1015 S. Washington introduced himself as the Executive Director of Straightline Ministries and offered to answer any questions the council or public might have.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Lee Shunk, Jr. of 601 Leslie St. wanted to know if the people will have an opportunity to vote on the issue of rate changes which would affect the service fee to be charged at the Twin Oaks project. He expressed concern about safety nets being in place for the residents.

Harold Leeman of 529 N. Francis wanted to know how much money in taxes will be sacrificed in exchange for a service fee at the Twin Oaks project. He reminded the council that there is a "gentlemen's agreement" that late items are put in the book on the table so the public has an opportunity to review them, yet the late item in reference to the ballteam was not in the book. He said he feels talk of a baseball stadium is just a diversionary tactic and that the City has more important matters to consider other than bringing a baseball team to Lansing.

Councilmember Brockwell responded that the City will realize more money from the Twin Oaks project than it currently does.

Councilmember Lilly commented that it would be a shame not to take advantage of an opportunity to consider baseball for Lansing. He says he has had a 98% favorable reaction from the community.

Lloyd Teets of 116 E. Elm agreed with Mr. Leeman's comments about the baseball issue being a smokescreen which overshadows more important issues. He said there is a lack of information regarding the proposed resolution on Twin Oaks, although he is in support of the resolution. He would like more comprehensive information provided in the book. In reference to the sale of property to Straightline Ministries, he was satisfied they purchased a home which might have been otherwise demolished.

Russell Greear of 3801 Walton Dr. said there is really no difference between a service charge and taxes. He feels that the ballteam is a bad idea.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That communications and petitions be considered as read in full and that the proper referrals be made by President Canady

Carried unanimously

A. Notice from the State of Michigan Public Service Commission of a Public Hearing for the Customers of Consumers Power Co. Case #U-9496-R to be held September 21, 1993, 9:00 A.M.

RECEIVED AND PLACED ON FILE

B. Letter from Max D. Shunk of 519 Village Dr. regarding recent changes to cable rates and channels

REFERRED TO THE CABLE ADVISORY BOARD AND THE COMMITTEE ON GENERAL SERVICES

C. Letter from Waverly Community Schools submitting Certification of 1993 Winter Tax Levy and Millage Rate Request

REFERRED TO THE MAYOR

D. Claim appeal received from Lee H. Dibble, no address given

REFERRED TO THE CITY ATTORNEY AND THE COMMITTEE ON GENERAL SERVICES

E. Letter from Harold Leeman submitting questions regarding actions taken by Outside Legal Counsel in the defense of the Early Retirement Lawsuit

REFERRED TO THE CITY ATTORNEY

EXECUTIVE ASSISTANT TO THE MAYOR MAY COMMENT

Executive Assistant Cleophus Boyd made reference to the letter of resignation from Pastor John A. Harrison from the Public Service Board. He also submitted the CSO tree report and said that no trees have been removed lately and trees have been scheduled for planting.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. **RESOLUTION #520** September 10, 1993
President Canady and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Robert J. Nickum
SECOND HAND DEALER: J.W. Services Unlimited Inc. d/b/a Ace Buyers
TRANSFER CLASS C: Tri-City Foods
WRECKER SERVICE: Auto Care Service, Inc.

Sincerely,
Marilynn Slade, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of September 7, 1993 for Review

RECEIVED AND PLACED ON FILE

C. Letter from the Cable Advisory Board submitting notice of a special meeting on September 22, 1993 at 7:00 P.M. which will be cablecast live over Channel 28

RECEIVED AND PLACED ON FILE

D. Letters from the Mayor re:

1/ Resignation of John Harrison from the Public Service Board

RECEIVED AND PLACED ON FILE

2/ Combined Sewer Overflow Project (CSO) Tree Report

RECEIVED AND PLACED ON FILE

COMMITTEE REPORTS

RESOLUTION #521
THE COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the proposed ordinance to add a new Chapter 892 to the Lansing Code of Ordinances, for the purpose of permitting a service charge in lieu of taxes for a project known as Twin Oaks Meadows, which project will consist of 63 dwelling units for elderly

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

citizens of low income pursuant to the provisions of the State Housing Development Authority Act of 1966,

REPORTS AS FOLLOWS: The Committee recommends that the ordinance be adopted.

Signed: Richard J. Lilly, Chair
Mark H. Canady
Lucile E. Belen

September 13, 1993

BY COUNCILMEMBER LILLY:

That the report of the Committee be received.

Carried Unanimously

RESOLUTION #522

THE COMMITTEE ON GENERAL SERVICES, to whom was referred the letter from the Mayor recommending that a hearing be conducted to determine if the Cabaret License approved for J. M. Productions, Inc., d/b/a Neo's, located at 3809 West Jolly Road, should be revoked for violations of Chapter 808 of the City Code,

REPORTS AS FOLLOWS: The Committee has set a special hearing for Wednesday, September 15, 1993, at 4:00 PM, in the 10th Floor Conference Room of City Hall, on the proposed revocation. A specific list of charges has been transmitted to the holder of the cabaret license and the law firm which has been representing the holder of the cabaret license. The Committee will follow the provisions contained in Chapter 808 for this hearing. The Committee will then compile its findings and recommendations for the Council's consideration.

Signed: Charles Ford
Robert Brockwell

September 13, 1993

BY COUNCILMEMBER FORD:

That the report of the Committee be received.

By Councilmember Ford:

To recuse Councilmember Schmidt from participation in General Services Committee meetings and the September 15, 1993, revocation hearing in which Neo's is discused:

VOTE: 6/1; Councilmember Lilly voting Nay and Councilmember Schmidt not voting

Councilmember Schmidt requested that her name be removed from this committee report as she was not present.

Councilmember Ford announced that Councilmember Beal will be replacing Councilmember Schmidt on the General Services Committee for issues pertaining to Neo's only.

RESOLUTIONS

RESOLUTION #523

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Maurice Allen Jones has applied for a City public driver license; and

WHEREAS, a routine records check by the Lansing Police Department showed that the applicant's driver's license has been suspended within two years of the date of application, and therefore the Chief of Police has recommended denial of the City license in accordance with Section 872.23(b)(3)(D) of the City Code; and

WHEREAS, the City Attorney's office conducted a hearing to determine the facts of the case, proposed a finding of fact based upon the testimony that cause exists under the ordinance for denial of said applicant, and has proposed that the basis for the Police Chief's recommendation to deny be upheld as valid; and

WHEREAS, the Committee on General Services has reviewed the transcript of the hearing, heard additional testimony from the applicant, and determined that the applicant has received a restricted license by action of a Circuit Court that will allow him to work full time as a cab driver, and that he has an offer of employment from Spartan Cab Company; and

WHEREAS, the Committee rccommcnds that the license be approved;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the recommendation of the General Services Committee to grant a public driver license to Maurice Allen Jones.

September 13, 1993

By Councilmember Ford

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Belen, Benevides, Brockwell, Ford, Schmidt

NAYS: Councilmembers Beal, Canady, Lilly

RESOLUTION #524

RESOLUTION BY COMMITTEE ON PHYSICAL DEVELOPMENT

P-1-89 Jet Place—Reapproval of Final Plat Extension and Revisions

WHEREAS Gary D. Arnold of Capitol Consultants, Incorporated, representing Mr. and Mrs. Robert Soltow and Mr. and Mrs. Keith Brandon, proprietors, requested reapproval of the extension of the final plat of Jet Place Subdivision with minor revisions in order to achieve a proper sequence of signatures on the plat, and

WHEREAS the City Council originally approved the extension of the final plat and the minor revisions of Jet Place Subdivision on January 19, 1993, and

WHEREAS being found in substantial conformance with the final preliminary plat approved by the Lansing City Council on August 21, 1989, the Planning Board recommended reapproval of the final plat at their August 17, 1993 meeting with conditions, and

WHEREAS sidewalks are not required due to the nonresidential use of the plat, and

WHEREAS the Lansing City Council Committee on Physical Development concurs therewith,

NOW THEREFORE BE IT RESOLVED that the Lansing City Council hereby rescinds its action of January 19, 1993 regarding P-1-89 and readopts the extension and revisions of the final plat of Jet Place Subdivision with the following conditions:

1. That a Deed or Abstract of Title, accompanied by an attorney's opinion as to the marketability of the land, or a Certificate of Title Insurance be submitted to the City Clerk prior to the signing of the plat and affixing of the Municipal Seal.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

2. That final security be posted in the amount specified by the Public Service Department and the Department of Parks and Recreation.

3. That all conditions of the preliminary plat be adhered to.

4. That the extension of the final plat approval is for two (2) years.

BE IT FINALLY RESOLVED that the City Clerk be hereby authorized to seal the plat following the fulfillment of the conditions.

By Councilmember Lilly

Carried Unanimously

RESOLUTION #525
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Council, by August 31, 1992 resolution, resolved to acquire the property commonly known as 1006 S. Grand Avenue, Lansing, Michigan and then convey it to Frontline Ministries (a Michigan non-profit corporation) with the requirement that the property be rehabilitated for use as a transitional housing facility and be used in accordance with the City's Zoning Code; and

WHEREAS, the City's Development Division acquired this property for this purpose; and

WHEREAS, said August 31, 1992 resolution did not specify the consideration to be paid to the City by said non-profit corporation for said property; and

WHEREAS, Frontline Ministries changed its name to Straightline Ministries, Inc. and has offered to purchase and renovate the property pursuant to a certain Memorandum of Grant Agreement for City of Lansing, Michigan Emergency Shelter Grant Program in which it agrees to purchase said property for nominal consideration, and in return will rehabilitate the property into a transitional housing facility with the assistance of CDBG funds and ESG funds and be subject to the restricted use of the property for 10 years pursuant to the HUD requirements for such grants;

NOW THEREFORE BE IT RESOLVED that the City Administration, through the Development Division of the City, is authorized to sell to Straightline Ministries, Inc., a Michigan non-profit corporation, for the sum of one dollar ($1.00), the property located at 1006 S. Grand Avenue, Lansing, Michigan, and legally described as:

The North 6 rods of Lot 1, Block 199, Original Plat, City of Lansing, Ingham County, Michigan, according to the recorded plat thereof, as set forth in Liber 2 of Plats, Page 36, Ingham County Records,

and that said property be transferred by limited warranty deed, subject to the terms and conditions of the Memorandum of Grant Agreement for the City of Lansing, Michigan, Emergency Shelter Grant Program and the possibility of reverter therein described, executed August 6, 1993 between the City of Lansing and Straightline Ministries, Inc.

BE IT FINALLY RESOLVED that the Mayor, on behalf of the City of Lansing, is authorized to sign and execute all necessary documents to effectuate the aforestated transaction, subject to their prior approval as to form by the City Attorney.

By Councilmember Lilly

Carried Unanimously

RESOLUTION #526
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT AND THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, this Council is approving a special ordinance to provide for a service charge in lieu of taxes for a project known as Twin Oaks Meadows, a project will consist of 63 dwelling units for elderly citizens of low income pursuant to the provisions of the State Housing Development Authority Act of 1966; and

WHEREAS, to implement said project, the City has developed concurrent agreements with the Twin Oaks Meadows Limited Dividend Housing Association Limited Partnership ('developer') and the Michigan State Housing Development Authority ('authority'); and

WHEREAS, said agreements include specific responsibilities of the developer and the authority, including a goal that the developer shall award at least 15 percent of the total construction cost of the project to contractors who have a business located within the City of Lansing; and

WHEREAS, the Committee on Physical Development and the Committee on Ways and Means have reviewed these agreements and recommended that they be executed concurrent with adoption of the project ordinance;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby authorizes the Mayor and City Clerk to execute the above described agreements between the City and the Twin Oaks Meadows Limited Dividend Housing Association Limited Partnership and the Michigan State Housing Development Authority.

By Councilmember Benavides

To amend the resolution to include the Committee on Ways and Means in the title and in the fourth paragraph

Carried unanimously

By Councilmember Lilly

To place an affirmative roll on the resolution as amended

Carried unanimously

RESOLUTION #527
BY COUNCIL PRESIDENT MARK H. CANADY AND COUNCILMEMBER RICHARD LILLY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, investors have approached the City of Lansing regarding the possible relocation of a minor league baseball team to the City of Lansing; and

WHEREAS, City officials have met with the investors and/or their representatives;

NOW, THEREFORE, IT IS RESOLVED, that the Mayor is requested to contact local banks and obtain the requirements the investors would have to meet in order to obtain a $10,000,000 loan from a local bank; and

IT IS FINALLY RESOLVED that the Mayor is requested to forward this information as soon as it is received to the President of the City Council

September 13, 1993

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

By Councilmember Lilly:

To accept a friendly amendment to add the following:

"BE IT FINALLY RESOLVED that no city funds shall be utilized in connection with the development and maintenance of the proposed facility and that the city's involvement in the endeavor will be limited to in-kind services such as site location, and place an affirmative roll on the resolution as amended."

Carried unanimously

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

By Councilmember Lilly:

That we proceed to the passage of Ordinances.

Carried unanimously

By Councilmember Lilly:

That the Ordinance when read be considered as read in its entirety.

Carried unanimously

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT:

By Councilmember Lilly:

Resolved by the City Council of the City of Lansing that an Ordinance to Add a Chapter 892 of the Codified Ordinances of the City of Lansing, Michigan for the Purpose of Permitting a Service Charge in Lieu of Taxes for a Project Known as Twin Oaks Meadows, which Project will Consist of Sixty-Three (63) Dwelling Units for Elderly Citizens of Low Income Pursuant to the Provisions of the State Housing Development Authority Act of 1966 be placed on order of immediate passage.

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT:

By Councilmember Lilly:

Resolved by the City Council of the City of Lansing that an Ordinance to Add a Chapter 892 of the Codified Ordinances of the City of Lansing, Michigan for the Purpose of Permitting a Service Charge in Lieu of Taxes for a Project Known as Twin Oaks Meadows, which Project will Consist of Sixty-Three (63) Dwelling Units for Elderly Citizens of Low Income Pursuant to the Provisions of the State Housing Development Authority Act of 1966 be now passed.

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

NAYS: None

ABSENT: None

By Councilmember Lilly:

For the health and safety of the residents, that this ordinance be given immediate effect:

Carried unanimously

ORDINANCE NO. 868

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO ADD A CHAPTER 892 OF THE CODIFIED ORDINANCES OF THE CITY OF LANSING, MICHIGAN FOR THE PURPOSE OF PERMITTING A SERVICE CHARGE IN LIEU OF TAXES FOR A PROJECT KNOWN AS TWIN OAKS MEADOWS, WHICH PROJECT WILL CONSIST OF SIXTY-THREE (63) DWELLING UNITS FOR ELDERLY CITIZENS OF LOW INCOME PURSUANT TO THE PROVISIONS OF THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966:

The City of Lansing ordains:

Section 1. That Chapter 892 of the Code of Ordinances of the City of Lansing, Michigan, be added, to read as follows:

SECTION 892.01 **PURPOSE.**

IT IS ACKNOWLEDGED THAT IT IS A PROPER PUBLIC PURPOSE OF THE STATE OF MICHIGAN AND ITS POLITICAL SUBDIVISIONS TO PROVIDE HOUSING FOR ITS ELDERLY CITIZENS OF LOW INCOME AND TO ENCOURAGE THE DEVELOPMENT OF SUCH HOUSING BY PROVIDING FOR A SERVICE CHARGE IN LIEU OF PROPERTY TAXES IN ACCORDANCE WITH THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966 (1966 PA 346, AS AMENDED, MCLA 125.1401 **et sec**; MSA 116.114(1) **et seq**). THE CITY IS AUTHORIZED BY THIS ACT TO ESTABLISH OR CHANGE THE SERVICE CHARGE TO BE PAID IN LIEU OF TAXES BY ANY OR ALL CLASSES OF HOUSING EXEMPT FROM TAXATION UNDER THIS ACT AT ANY AMOUNT IT CHOOSES, NOT TO EXCEED THE TAXES THAT WOULD BE PAID BUT FOR THIS ACT. IT IS FURTHER ACKNOWLEDGED THAT SUCH HOUSING FOR ELDERLY PERSONS OF LOW INCOME IS A PUBLIC NECESSITY, AND AS THE CITY WILL BE BENEFITTED AND IMPROVED BY SUCH HOUSING, THE ENCOURAGEMENT OF THE SAME BY PROVIDING CERTAIN REAL ESTATE TAX EXEMPTION FOR SUCH HOUSING IS A VALID PUBLIC PURPOSE; FURTHER, THAT THE CONTINUANCE OF THE PROVISIONS OF THIS ORDINANCE FOR TAX EXEMPTION AND THE SERVICE CHARGE IN LIEU OF TAXES DURING THE PERIODS CONTEMPLATED IN THIS ORDINANCE ARE ESSENTIAL TO THE DETERMINATION OF ECONOMIC FEASIBILITY OF THE HOUSING DEVELOPMENT KNOWN AS TWIN OAKS MEADOWS WHICH IS TO BE CONSTRUCTED AND FINANCED IN RELIANCE ON SUCH ORDINANCE AND SERVICE CHARGE.

SECTION 892.02 **DEFINITIONS.**

A. **ACT** MEANS THE STATE HOUSING DEVELOPMENT AUTHORITY ACT, BEING PUBLIC ACT 346 OF 1966, OF THE STATE OF MICHIGAN AS AMENDED.

B. **ANNUAL SHELTER RENTS** MEANS THE TOTAL COLLECTIONS DURING AN AGREED ANNUAL PERIOD FROM ALL OCCUPANTS OF A HOUSING DEVELOPMENT REPRESENTING RENTS FOR OCCUPANCY, WHICH RENTAL AMOUNTS SHALL BE EXCLUSIVE OF CHARGES FOR GAS, ELECTRICITY, HEAT OR OTHER UTILITIES FURNISHED TO THE OCCUPANTS.

C. **AUTHORITY** MEANS THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY.

D. **COMMENCEMENT OF CONSTRUCTION** IS DEFINED AS THE COMMENCEMENT OF EXCAVATION OF THE BASEMENT OF THE PROPOSED BUILDING TO THE DESIGN FOOTING DEPTH.

E. **CONTRACT RENTS** ARE AS DEFINED BY THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN REGULATIONS PROMULGATED PURSUANT TO SECTION 8 OF THE U.S. HOUSING ACT OF 1937, AS AMENDED.

F. **ELDERLY PERSONS** MEANS A FAMILY WHERE THE HEAD OF HOUSEHOLD IS 62 YEARS OF AGE OR OLDER OR A SINGLE PERSON WHO IS 62 YEARS OF AGE OR OLDER.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

G. **ELDERLY PERSONS OF LOW INCOME** MEANS ELDERLY PERSONS WHO MEET THE INCOME LIMITATION SET BY THE AUTHORITY AND/OR FEDERAL GOVERNMENT THROUGH HUD.

H. **HOUSING DEVELOPMENT** MEANS A DEVELOPMENT WHICH CONTAINS SIXTY-THREE APARTMENTS FOR ELDERLY PERSONS OF LOW INCOME AND SUCH ELEMENTS OF OTHER HOUSING, COMMERCIAL, RECREATIONAL, INDUSTRIAL, COMMUNAL, AND EDUCATIONAL FACILITIES AS THE AUTHORITY MAY DETERMINE WILL IMPROVE THE QUALITY OF THE DEVELOPMENT AS IT RELATES TO HOUSING FOR ELDERLY PERSONS OF LOW INCOME. FOR PURPOSES OF THIS CHAPTER, THE NAME OF THIS PROJECT SHALL BE TWIN OAKS MEADOWS.

I. **HUD** MEANS THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT OF THE UNITED STATES GOVERNMENT.

J. **MORTGAGE LOAN** MEANS A LOAN TO BE MADE BY THE AUTHORITY AND/OR THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO THE SPONSOR FOR THE CONSTRUCTION AND/OR PERMANENT FINANCING OF THE HOUSING DEVELOPMENT.

K. **SPONSOR** MEANS PERSONS OR ENTITIES WHICH HAVE APPLIED TO EITHER THE AUTHORITY FOR A MORTGAGE LOAN TO FINANCE THIS HOUSING DEVELOPMENT OR TO ANOTHER GOVERNMENTAL ENTITY FOR A FEDERALLY-AIDED LOAN, AS DEFINED BY THE ACT. FOR PURPOSES OF THIS CHAPTER, THE SPONSOR IS TWIN OAKS MEADOWS LIMITED DIVIDEND HOUSING ASSOCIATION LIMITED PARTNERSHIP.

L. **UTILITIES** MEAN FUEL, WATER, SANITARY SEWER SERVICE AND/OR ELECTRICAL SERVICE WHICH ARE PAID BY THE HOUSING DEVELOPMENT.

SECTION 892.03 **ESTABLISHMENT OF ANNUAL SERVICE CHARGE.**

A. THE HOUSING DEVELOPMENT FOR ELDERLY PERSONS OF LOW INCOME AND THE PROPERTY ON WHICH IT SHALL BE CONSTRUCTED SHALL BE EXEMPT FROM ALL PROPERTY TAXES FROM AND AFTER THE COMMENCEMENT OF CONSTRUCTION. THE CITY, ACKNOWLEDGING THAT THE SPONSOR AND THE AUTHORITY AND/OR HUD, IN THE CASE OF THE SPONSOR RECEIVING A MORTGAGE LOAN FROM THE AUTHORITY, HAVE ESTABLISHED THE ECONOMIC FEASIBILITY OF THE HOUSING DEVELOPMENT IN RELIANCE UPON THE ENACTMENT AND CONTINUING EFFECT OF THIS ORDINANCE AND UPON THE QUALIFICATION OF THE HOUSING DEVELOPMENT FOR EXEMPTION FROM ALL PROPERTY TAXES AS ESTABLISHED IN THIS ORDINANCE, WILL ACCEPT PAYMENT OF AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICES IN LIEU OF ALL PROPERTY TAXES.

B. THE ANNUAL SERVICE CHARGE SHALL BE EQUAL TO 4% OF THE DIFFERENCE BETWEEN THE ANNUAL SHELTER RENT FOR AUTHORITY-AIDED HOUSING DEVELOPMENTS ACTUALLY COLLECTED AND UTILITIES.

SECTION 892.04 **PAYMENT OF SERVICE CHARGE.**

THE SERVICE CHARGE IN LIEU OF TAXES AS DETERMINED UNDER THIS ORDINANCE SHALL BE PAYABLE IN THE SAME MANNER AS GENERAL PROPERTY TAXES ARE PAYABLE TO THE CITY, EXCEPT THAT THE ANNUAL PAYMENT SHALL BE PAID ON OR BEFORE JULY 1 OF THE YEAR FOLLOWING THE YEAR UPON WHICH SUCH CHARGE IS CALCULATED.

SECTION 892.05 **CONTRACTUAL EFFECT.**

NOTWITHSTANDING THE PROVISIONS OF SECTION 15(a)(5) OF THE ACT TO THE CONTRARY, A CONTRACT BETWEEN THE CITY AND THE SPONSOR WITH THE AUTHORITY AS THIRD PARTY BENEFICIARY UNDER THE CONTRACT, TO PROVIDE TAX EXEMPTION AND ACCEPT PAYMENTS IN LIEU OF TAXES AS PREVIOUSLY DESCRIBED WILL BE EFFECTUATED BY ENACTMENT OF THIS ORDINANCE BY THE CITY COUNCIL.

SECTION 892.06 **DURATION: REQUIREMENT THAT CONSTRUCTION COMMENCE IN ONE YEAR FROM THE EFFECTIVE DATE OF PASSAGE OF ORDINANCE.**

THE PROPERTY TAX EXEMPT STATUS OF THE HOUSING DEVELOPMENT APPROVED BY THIS ORDINANCE SHALL REMAIN IN EFFECT AND SHALL NOT TERMINATE SO LONG AS THE MORTGAGE LOAN FOR THE HOUSING DEVELOPMENT REMAINS OUTSTANDING AND UNPAID, OR FOR SUCH PERIOD AS THE AUTHORITY OR OTHER GOVERNMENTAL ENTITY HAS ANY INTEREST IN THE PROPERTY; PROVIDED, THE CONSTRUCTION OF THE HOUSING DEVELOPMENT COMMENCES WITHIN ONE YEAR FROM THE EFFECTIVE DATE OF THIS ORDINANCE. IF THE CONSTRUCTION OF THE HOUSING DEVELOPMENT DOES NOT COMMENCE WITHIN ONE YEAR FROM EFFECTIVE DATE OF THIS ORDINANCE, THIS ORDINANCE SHALL AUTOMATICALLY EXPIRE AND BE OF NO EFFECT.

892.07 **SEVERABILITY.**

THE VARIOUS SECTIONS AND PROVISIONS OF THIS ORDINANCE SHALL BE DEEMED TO BE SEVERABLE, AND SHOULD ANY SECTION OR PROVISION OF THIS ORDINANCE BE DECLARED BY ANY COURT OF COMPETENT JURISDICTION TO BE UNCONSTITUTIONAL OR INVALID, THE SAME SHALL NOT AFFECT THE VALIDITY OF THIS ORDINANCE AS A WHOLE OR ANY SECTION OR PROVISION OF THIS ORDINANCE OTHER THAN THE SECTION OR PROVISION SO DECLARED TO BE UNCONSTITUTIONAL OR INVALID.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by City Council.

MARILYNN SLADE, CITY CLERK

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Lilly; a resolution to request the Mayor to contact local banks and obtain the requirements investors would have to meet in order to obtain a $10,000,000 loan.

HANDLED AS RESOLUTION #528

2/ From Councilmember Beal; a letter from Ampco Parking regarding their municipal parking operation.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

3/ From Councilmember Ford; a report from the Committee on General Services recommending a revocation hearing on the Neo's cabaret license.

RECEIVED AND PLACED ON FILE

4/ From Councilmember Ford; letter from Daniel M. Zavadil from the Law Offices of Shafer & Maier, P.C. requesting recusal of Alfreda Schmidt from acting as a panel member at the September 15, 1993 revocation hearing for Neo's Night Club.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

MAYOR'S EXECUTIVE ASSISTANT'S COMMENTS

There were no comments by the Mayor's Executive Assistant.

COUNCILMEMBER'S COMMENTS

Councilmember Schmidt asked Councilmember Lilly about the plan for annexation of land on Willoughby Road. She also commented there would be no meeting of the Committee on Public Safety this week.

Councilmember Lilly responded that he plans to get with Councilmember Schmidt on the Willoughby Road matter. He said there would be no meeting of the Committee on Physical Development this week.

Councilmember Belen stated that she is not opposed to a ballteam in Lansing, but she feels the City just does not have the money to put in to it.

Councilmember Canady said that the Blue Ribbon Committee being appointed to review the issue will be directed that no tax monies are to be planned on.

CITIZEN'S COMMENTS

William Bernstein of 420 Baker St. said the public should have the right to speak on any subject at any time during the council meeting. He made several remarks of a derogatory and slanderous nature, at which point Councilmember Ford asked Council President Canady to call Mr. Bernstein out of order. Council President Canady asked Mr. Bernstein to refrain from using derogatory and slanderous remarks or racial slurs against anyone.

Douglas Fairbanks, 525 W. Mt. Hope said that a baseball stadium could be very versatile in that it could be used for special events and other sports.

Lee Shunk, Jr., 601 Leslie St. said there are too many parking problems and traffic hazards downtown. He commented that he appreciated Councilmember Schmidt's non-denominational prayer at the opening of the meeting.

Harold Leeman, 529 N. Francis argued that there was no public meeting held discussing the ball team and that the council is lying. He was dismayed the Council passed a resolution on a late item, which he said should never be done. He said City time is being wasted on the ball team when it should be concentrated on what the true priorities are.

Sue Eby, 801 Durant extended an invitation to attend a fundraiser for the Voluntary Action Center.

Lloyd Teets, 116 E. Elm said the resolution to have the Mayor go to the bank is a lot of "political hyperbole".

Russell Greear, 3801 Walton Dr. said that the ball team is a smokescreen to get Councilmember Lilly votes. He said improved transportation needs to be made a priority so that special events can stay in Lansing.

Bruce Ferguson, 802 Elmwood, Dewitt introduced himself as the other police officer involved in the Clyde Smith investigation. He said it has been very hard to accept the stigma of allegations made against him and the other officers. He said although there was no evidence found of wrong doing on his or the other officer's part, there has been no apology nor attempt to make things right. He said he intends to fight to get his job back.

Ken Vaughan, 114 Garden asked Councilmember Lilly why it was necessary for the Mayor to go to the bank on the baseball team issue and he asked that the Council consider Bruce Ferguson's comments and put him back to work.

Paget Maynard, 902 W. Shiawassee said he is concerned about what the City might realize from having a ball team and how we compare to other cities.

Terry Ruddick, 726 N. Pine St. says the council does not care about Bruce Ferguson's mental anguish and wonders what the City is going to do about it.

Councilmember Brockwell stated that he has fully supported Bruce Ferguson from the beginning, both privately and publicly, and that he resented Mr. Ruddick's comments that the Council does not care.

Councilmember Beal said her committee has met and hopes to bring this matter to a swift and just resolution. She said her committee is waiting for a response from the Mayor.

Mary Hauser, 6 Lawler Court spoke in support of Bruce Ferguson.

Paul Scott, 412 W. Kilborn said the following criteria should be observed when a bank is contacted about financing for a stadium: 1) The investors and the Mayor should deal only with banks who offer first mortgages in the City; 2) The bank's community reinvestment act requirements have been fulfilled and can be documented; and 3) No bank should be allowed to count this investment as meeting any part of its community reinvestment act requirements. Mr. Scott also spoke in support of Bruce Ferguson.

Darryl Burgess, 1407 Prospect spoke about the proposed extension of the sale of the Civic Center/Veterans Memorial Building. He said if it is going to be sold, to just sell it instead of extending deadlines.

Councilmember Ford said the extension was granted so that events can continue to be scheduled at the Civic Center while the renovations continue at the Lansing Center.

Tim Lewis, 500 Pine #1015 wants to know why a resolution can be passed to send the Mayor to the bank but a police officer cannot get reinstated. He said priorities are not straight.

Tom Shields, 1118 Riley said the City is going to owe for too many things to pay for a ball team.

ADJOURNED 10:05 P.M.
MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, September 20, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
September 20, 1993

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Canady

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Ford

CONSIDERATION OF LATE ITEMS

By Councilmember Beal

To accept the following under suspension of the rules:

1/ From Councilmember Beal; a petition signed by 8 residents of the 1600 block of Vermont Street requesting the boarding up of a residence located at 1621 Vermont for violation of the Public Nuisance Ordinance

2/ From Councilmember Schmidt; a petition from Mario Domino of P.O. Box 27244 requesting installation of a traffic control device at the intersection of Kalamazoo and Pine

Carried Unanimously

SPECIAL CEREMONIES

A. Councilmember Benavides presented a resolution of tribute commemorating the creation of the "Share-a-bike" program to Mae Tanner. Ms. Tanner accepted on behalf of herself and Isabelle Withers and thanked Council for this honor. She announced a picnic to be held on Saturday, September 25, 1993 at Francis Park for the donors and recipients of the bike program. Councilmember Ford asked Ms. Tanner's supporters to stand in acknowledgement of her tribute. Approximately 10 people stood to show their support.

SCHEDULED PUBLIC HEARINGS

A. In consideration of SLU-08-93, 430-440 N. Larch St., Special Land Use request filed by Volunteers of America

Douglas Fairbanks of 525 E. Mt. Hope Ave. spoke in support of the Volunteers of America. They are a great organization, he said, and they deserve this special land use.

Harold Leeman of 529 N. Francis asked if this facility will be used to house any of the people who currently stay at the 'Rescue Mission' on Michigan Ave.

Colonel Pat Dowell, President of the Lansing Chapter of Volunteers of America, said that this special land use will allow them to increase their present capacity by an additional 24 individuals. This facility serves the male homeless population and has no relationship with the 'Rescue Mission'.

Ken Vaughan of 114 Garden St. spoke in support of the request for special land use.

Russell Greear of 3801 Walton asked what the city is going to "go up there" and do about homeless women that cannot be sheltered at this facility.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

PUBLIC COMMENT

Robert Bennett of 1601 Robertson Ave. spoke in opposition to extending the contract for the sale of the Civic Arena.

Darryl Burgess of 1407 Prospect spoke in opposition to the extension of the contract for the sale of the Civic Arena.

Betty Kost of 1425 McIntyre Court spoke in opposition to the resolution extending the contract for the sale of the Civic Arena.

Douglas Fairbanks of 525 E. Mt. Hope spoke in favor of the extension of the contract for the sale of the Civic Arena.

Lee Shunk, Jr. of 601 Leslie St. asked for a resolution of the Civic Arena issue one way or the other. However, he does not favor shipping our tourism industry to E. Lansing.

Jack Gunther of 211 Black Ct., of the Lansing Council of Veterans, said that their situation has been unstable for the last three or four years. They are looking for another Veterans Memorial building to house their facility. They are grateful to Councilmember Schmidt and Parks and Recreation Director, Eric Reickel for their efforts to make sure that veterans still have a place to meet and run their programs, however, they deserve and need a memorial building in town to operate their programs from.

Mark Eggleston 4001 Heathgate spoke in opposition to the resolution extending the contract for the sale of the Civic Arena, however, if Council passes the resolution, they should make sure that the letter of credit is extended to 1994, that the city earns interest on it, and that Heart of the City be required to pay taxes on the building.

Ken Vaughan of 114 Garden St. said that the resolution extending the contract for the sale of the Civic Arena is a slap in the face to veterans.

Lloyd Teets of 116 E. Elm St. said that the extension of the contract for the sale of the Civic Arena was decided last Thursday. The public has no voice here at all. This is a done deal. The only influence the public has is in the voting booth. Arrangements for the placement of groups that use the Civic Center should have been made over a year ago and the fact that they were not indicates a lack of leadership on City Council.

Harold Leeman of 529 N. Francis asked for discussion of the settlement of the claim of Nancy Dayton. He inquired as to the criteria used to fund and place Community Policing Officers. He questioned the ability of Heart of the City to fulfill the contract for the sale of the Civic Arena, and asked that the vote on the extension of the contract be delayed for one week.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Russell Greear of 3801 Walton Dr. spoke in opposition to reappointments to the CATA Board and the extension of the contract for sale of the Civic Arena.

Councilmember Beal asked that the following letter from attorney's on behalf of Paul Gentilozzi of Gentilozzi Real Estate, Inc. be read into the record:

Mayor James Crawford
City Hall
Lansing, MI 48933

RE: Lansing Civic Center

Dear Mayor Crawford:

Please be advised that we are the legal counsel for Paul Gentilozzi, Gentilozzi Real Estate, Inc., and related entities controlled by or in which Mr. Gentilozzi has an interest. Mr. Gentilozzi has become aware through the media that Messrs. Joel Ferguson and Sam Eyde have, on behalf of themselves or an entity controlled by them, requested an extension and restructure of the proposal they previously made and the City of Lansing accepted for redevelopment of the Lansing Civic Center.

Mr. Gentilozzi objects to any extension or restructure of the pending proposal for redevelopment of the Lansing Civic Center. Mr. Gentilozzi previously prepared and placed a bid for redevelopment of the Lansing Civic Center based upon specifications then established by the City of Lansing. Assuming the City of Lansing is now contemplating changes to the specifications, including the time of performance, then it will be engaged in changing the terms and conditions by which the bidders were allowed and required to previously bid on this project.

Since it would appear that the original successful bidder has defaulted under the original terms and conditions proposed by the City of Lansing and essentially new or substantially modified terms and conditions will apply to the redevelopment project, Mr. Gentilozzi respectfully requests the process for redevelopment of the Lansing Civic Center be reopened and he and others be permitted the opportunity to provide bid proposals reflecting the changed terms and specifications.

Thank you for your consideration.

Very truly yours,
Gregory L. McClelland

COMMUNICATIONS AND PETITIONS

By Councilmember Benavides

That Communications and Petitions be considered as being read in full and that the proper referrals be made by President Canady

Carried unanimously

A. Letter from Robert L. Trezise, Jr. of 834 Fred St. #11 regarding non-compliance of the City Code requiring availability of on-site recycling service to residents of Multi-family dwellings

REFERRED TO THE CITY ATTORNEY AND
THE COMMITTEE ON PUBLIC SERVICES

B. Letter from Atlas Oil Co. notifying the City of an increase on the Federal Excise Tax on Gasoline, gasohol and diesel fuel effective 10/01/93

REFERRED TO THE MAYOR

C. Letter of thanks received from Peggy Bowerman, Shiela Purvis, and Nancy Pratt

RECEIVED AND PLACED ON FILE

D. Letter from Timothy R. Lewis of 500 S. Pine #1015 regarding Councilmember conduct at City Council meetings

RECEIVED AND PLACED ON FILE

E. 1993 Winter Tax Certification and Millage Rate Request from Ingham Intermediate School District

REFERRED TO THE MAYOR

F. Letter from Lingg Brewer, Ingham County Clerk requesting a Statement of Mills to be Spread for Tax

REFERRED TO THE MAYOR

G. Request for transfer of Commercial Facilities Exemption Certificate from the Altlman Brothers Co. to Community First Bank

REFERRED TO THE MAYOR AND
THE COMMITTEE ON ECONOMIC DEVELOPMENT

MAYOR'S COMMENTS

Mayor Crawford outlined his letters on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. **RESOLUTION #528** September 20, 1993
President Canady and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

POOL ROOM/BOWLING ALLEY: Holiday Recreation Inc.

Sincerely,
Marilynn Slade, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of September 13, 1993 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the City Attorney re:

1/ Accent Leasing v City of Lansing

RECEIVED AND PLACED ON FILE

2/ City of Lansing v MDSS & Peckham Vocational

RECEIVED AND PLACED ON FILE

3/ Erick Williams v City of Lansing

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

RECEIVED AND PLACED ON FILE

4/ **RESOLUTION #529** September 17, 1993
Council President Mark A. Canady and
Members of the Lansing City Council

RE: Recommendation for Settlement of District Court Lawsuit; Case No. 93-0788-GC-C

Dear Council President and Members:

A lawsuit was brought by a City retiree who claimed a right of reimbursement for Medicare premiums pursuant to the City's reimbursement policy approved by Council on June 12, 1978. The Plaintiff, who retired effective June 1, 1980, claims that he was never advised by the retirement office of the availability of Medicare reimbursement.

Therefore, in his lawsuit Plaintiff requested the sum of $6,143.33, which represents the Medicare part B premiums he had paid for himself and his wife from March, 1981 through August, 1992. The Law Department filed a motion for partial summary disposition before District Court Judge Charles Filice. Judge Filice granted the City's motion for partial summary disposition and lowered the potential recovery to $3,736.54.

Subsequently, the City and the attorneys began settlement negotiations. As a result of these settlement negotiations, it is the recommendation of the Mayor, the Interim Finance Director, Ways and Means Committee and the Law Department that this lawsuit be settled for a total amount of $3,736.54; provided, that the lawsuit be dismissed with prejudice and no costs, attorneys fees or interest be awarded to either party and there is no admission of liability on the City's part.

Pursuant to Lansing City Charter, the Council's approval of this tentative settlement as outlined above is requested.

Very truly yours,
Alvan P. Knot City Attorney
BY Councilmember Benavides

To accept the recommendations of the City Attorney

Carried unanimously

5/ **RESOLUTION #530** September 17, 1993
Council President Mark Canady
and Members of the Lansing City Council

RE: Recommendation for Redemption of Workers' Compensation Claim; No. 12/12/49

Dear Council President and Members:

Upon review of a worker's compensation claim with an injury date of May, 1991 and the depositions of various medical personnel involved, the Personnel Department, Corporate Services, Inc., and the City Attorney's Office rejected claimant's $60,000.00 offer of settlement. However, Claimant is continuing to incur medical costs and the advantage to redeeming the case is the preclusion of any future claims or further exposure to the City of Lansing.

As a result of ongoing negotiations, the City and the Claimant were able to reach a tentative redemption of $5,000.00. The Claimant has agreed to pay all medical costs already incurred out of the $5,000.00 settlement figure. The Claimant has agreed to accept this offer and relinquishes any and all past, present and future claims.

Mayor James Crawford and the Ways and Means Committee concur in this recommendation for redemption for the total amount of $5,000.00.

Based upon the above-mentioned facts and recommendations of the various City officials, the Law Department recommends City Council approve the tentative settlement of $5,000.00.

Very truly yours,
Alvan P. Knot, City Attorney

By Councilmember Benavides

To accept the recommendations of the City Attorney

Carried unanimously

D. Letters from the Mayor re:

1/ Designation of Blighted Areas

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

2/ Appointment of Joanne M. Pohl to the Human Relations Board

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

3/ Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

4/ Z-07-93, 913-915-917 & 912 W. Allegan

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

5/ Z-08-93, 927, 1001 & 1007 W. Allegan

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

6/ SLU-10-93, 501 W. Saginaw St., Child Care Facility

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

7/ Change of Intent—S. Grand Garage Gate Damage

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

8/ Reimbursement of Expenses—Cooley Law School

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

9/Grant Acceptance Drug Apprehension and Forfeiture Program

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

10/ Grant Acceptance Neighborhood Problem Solving

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

11/ Appointment of Brian Jeffries to the Housing Commission

RECEIVED AND PLACED ON FILE

COMMITTEE REPORTS

There were no Committee Reports

RESOLUTIONS

RESOLUTION #531
BY: ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, the Lansing City Council has established a Lansing Commercial Redevelopment District CRD-8-84, at 309 N. Washington Square, Lansing, Michigan and issued a Commercial

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Facilities Exemption Certificate for rehabilitation to an existing facility at that site to Altman Brothers Company on September 10, 1984 to remain in effect for twelve years; and

WHEREAS, Community First Bank having received the above mentioned property by foreclosure in July, 1993 has applied for the transfer of this Commercial Facilities Exemption Certificate for the remainder of the twelve year certificate; and

WHEREAS, it is necessary to hold a public hearing prior to this Council's taking action on Community First Bank's application for the transfer of the Commercial Facilities Exemption Certificate.

NOW, THEREFORE, BE IT RESOLVED, that the City Clerk give at least (10) ten days notice of a public hearing when all persons interested may attend and make any objections they may have to the transfer of the Certificate; and

BE IT FURTHER RESOLVED, that the City Council notify the legislative body of each taxing unit which levies ad valorem property taxes on the property located within said Lansing Commercial Redevelopment District (CRD-8-84); and

BE IT FINALLY RESOLVED, that such hearing shall be held in the Council Chambers on the tenth (10th) floor of Lansing City Hall on Monday, October 18, 1993 at 7:00 p.m. and that notice of such hearing be published in a publication of general circulation of said City.

By Councilmember Belen

Carried unanimously

RESOLUTION #532
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Nancy Dayton filed a claim against the City in the amount of $3,279.32 for damages to a rental car caused by an accident with a City vehicle driven by a City employee who was then cited for a hazardous action; and

WHEREAS, after investigation and analysis, the City Attorney's staff recommendation was to grant the claim in the amount of $400.00, which is the maximum legal liability under the Michigan No Fault Law; and

WHEREAS, the claim and the legal recommendation were reviewed by the Committee on General Services; and

WHEREAS, the claimant appeared before the Committee, furnishing testimony and evidence in support of the claim; and

WHEREAS, under the particular circumstances of this situation, the Committee recommends an offer to settle the claim in the amount of $400.00;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby directs the City Attorney to make an offer to settle the claim of Nancy Dayton in the amount of $400.00; and

BE IT FURTHER RESOLVED the City Attorney shall make payment of the approved amount after appropriate releases are signed by the claimant; and

BE IT FINALLY RESOLVED if the claimant does not accept said offer by 5:00 PM on Friday, October 1, 1993, the entire claim shall be considered denied.

By Councilmember Ford

Carried unanimously

RESOLUTION #533
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

NOW, THEREFORE, BE IT RESOLVED that the Mayor's reappointment of Duane Allen to the CATA Board for a term to expire September, 1997, is hereby confirmed.

September 20, 1993

By Councilmember Brockwell

Carried unanimously

RESOLUTION #534
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

NOW, THEREFORE, BE IT RESOLVED that the Mayor's reappointment of Dirck Terwilliger to the CATA Board for a term to expire September, 1997, is hereby confirmed.

September 20, 1993

By Councilmember Brockwell

Carried unanimously

RESOLUTION #535
BY THE COMMITTEE ON WAYS AND MEANS AND THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City Council has reviewed the Mayor's proposal to amend the City's Final Statement for Fiscal Year 1992-93 Community Development Block Grand funds, in order to reprogram $65,700 in contingency funds to finance a position for one (1) additional Community Policing Officer; and

WHEREAS, at a public hearing on the proposal, held September 7, 1993, before the City council, a number of citizens expressed support for the proposal; and

WHEREAS, the City Council also concurs with and supports the Mayor's proposal;

NOW, THEREFORE, BE IT RESOLVED that the City's Fiscal Year 1992-93 Community Development Block Grant Final Statement is amended as proposed to reprogram $65,700 in contingency funds to finance a position for one (1) additional Community Policing Officer.

BE IT FURTHER RESOLVED that the Administration is hereby requested to implement the proposal by meeting with the Police Department to determine the best way to utilize the services of the new officer in a CDBG qualified neighborhood.

September 20, 1993

By Councilmember Benavides

Carried unanimously

RESOLUTION #536
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, every once in a while, something good happens in our

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Convention Exhibition Hall Authority; and

WHEREAS, the Ways and Means Committee has concurred in the recommendation of the Mayor, the Lansing Convention Visitors Bureau and the Lansing Convention Exhibition Hall Authority;

NOW, THEREFORE, BE IT RESOLVED THAT:

1. No Later than 5:00 p.m. on September 30, 1993, the developer shall tender to the City the sum of $500,000.00 in a certified check, which amount shall be receipted in the General Fund and held as a reservation of Fund Balance, with all interest earned on these funds to be credited to this account. This sum shall become the property of the City and shall not be returned to the Developer nor shall the Developer have any claim to the return of the $500,000. If the Developer complies with all the sale agreement's terms and conditions, and closes within the time frame required by the amended agreement, the sum of $500,000 receipted shall be credited toward the purchase price of 4.2 Million Dollars.

2. The Agreement approved by Lansing City Council on March 18, 1991 shall be amended as follows:

a. The Developer shall provide to the City a $500,000.00 Letter of Credit through September 30, 1994:

b. The closing date shall be September 30, 1994; and

c. The Developer shall pay as part of the purchase price, 4% interest on the remaining balance of 3.7 Million Dollars.

BE IT FURTHER RESOLVED that before the Mayor is authorized to sign the Agreement as amended, the Interim Finance Director shall certify to the Mayor and City Council that the Developer and its General Partners are current in all its financial obligations due and owing to the City;

BE IT FURTHER RESOLVED that during the time period this amended Agreement is in effect, the Lansing Convention Exhibition Hall Authority shall not receive any subsidy in addition to the subsidy provided to it by the Lansing City Council in the FY 1993/1994 budget; and

BE IT FINALLY RESOLVED that if the Developer does not agree in writing to the above mentioned terms and conditions on or before September 29, 1993, the original sale agreement shall remain in full force and effect and the Mayor is authorized to enforce the original sale agreement's terms and conditions.

By Councilmember Benavides

To place an affirmative roll on the resolution as amended

Adopted by the following vote:

YEAS: Councilmembers Belen, Benavides, Brockwell, Ford, Lilly, Schmidt

NAYS: Councilmember Beal

ABSTAIN: Council President Canady

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Beal; a petition signed by 8 residents of the 1600 block of Vermont Street requesting the boarding up of a residence located at 1621 Vermont for violation of the Public Nuisance Ordinance

REFERRED TO THE CITY ATTORNEY

2/ From Councilmember Schmidt; a petition from Mario Domino of P.O. Box 27244 requesting a traffic control device be installed at the intersection of Kalamazoo and Pine

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

MAYOR'S COMMENTS

Mayor Crawford thanked everyone involved in the 'Oldtown' Neighborhood Clean Up drive held last Saturday and congratulated them on a job well done. This was the largest neighborhood clean up effort of the year. Two houses and thirty-nine fire hydrants were painted along with the clean-up of the neighborhood. He said that the placement of Community Policing Officers is determined by crime statistics. The administration does not know where these officers will be placed until placement is approved through criteria established by these statistics.

COUNCILMEMBER'S COMMENTS

Councilmember Belen asked Mayor Crawford to talk to Dave Berridge about problems with the crosswalk by Davenport College.

Councilmember Ford said a meeting was held last Wednesday to conduct the revocation hearing for the Neo's Cabaret License. The General Services Committee will consider scheduling an additional meeting, if necessary. He and Councilmember Beal visited Neo's last Friday night to observe the activity in the club. It appeared to be pretty harmless during their 1½ hour visit. Security measures were in place and being carried out. When they left Neo's, they went to Cranbrook Apartments and were unable to hear the music from there.

Councilmember Schmidt exhibited a newspaper article from the State Journal showing a picture of her 100 year old father who lives in Mason. She announced that the downtown office of the Secretary of State has moved to Washtenaw St. This office is open Monday through Friday 9:00 A.M. to 5:00 P.M.

CITIZEN'S COMMENTS

William Bernstein of 420 Baker St. made slanderous personal comments about a city employee and Councilmember Ford requested that the Presiding Chair declare him to be out of order. Vice-President Brockwell declared Mr. Bernstein to be out of order and requested that he take his seat. Upon Mr. Bernstein's refusal to take his seat Vice-President Brockwell requested that the Sergeant at Arms escort him from Council Chambers.

Lee Shunk, Jr. of 601 Leslie St. said that there are rules governing the way Councilmembers treat members of the public. He has experienced problems similar to the ones the Jerome Street neighborhood has been having and will contact the City Attorney about them.

Douglas Fairbanks of 525 E. Mt. Hope complimented Mayor Crawford and said he is a man of vision.

Mark Eggleston of 4001 Heathgate inquired as to the sign ordinance governing campaign signs. City Attorney Knot requested that, if Mr. Eggleston has information about specific violations of this Ordinance, he give that information to the

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

community as a direct result of one or two people identifying a problem and setting out to solve it; and

WHEREAS, this past summer, Mae Tanner and Isabelle Withers created the Share-A-Bike Program to seek donations of unused bicycles for the benefit of children whose families cannot afford new bicycles; and

WHEREAS, Mae and Isabelle started by passing out flyers, then they received a major boost thanks to an enthusiastic State Journal column written by John Schneider, and the generosity of the people of greater Lansing has done the rest; and

WHEREAS, by August 4th, 180 bikes have been distributed to children in Lansing and the surrounding area; and

WHEREAS, to celebrate the Share-A-Bike Program's success, Mae and Isabelle have pulled together a GREAT BICYCLE PICNIC BASH for Saturday, September 25th, from noon until 6 PM at Francis Park, an event open to all with special invitations to those who have donated and received bicycles;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 20th day of September, 1993, hereby recognizes and commends Mae Tanner and Isabelle Withers for their outstanding community spirit and the success of their Share-A-Bike Program.

By Councilmember Benavides

Carried unanimously

The following motions were made regarding the resolution extending the contract for sale of the Civic Arena:

By Councilmember Lilly

That Council President Canady be recused from voting on the issue of the extension of the contract for the sale of the Civic Arena because he represents Mr. Joel Ferguson on other unrelated matters

Carried unanimously, Council President Canady abstaining

By Councilmember Lilly

That Councilmember Benavides' proposed amendments to the resolution be separated and dealt with individually

Carried unanimously, Council President Canady abstaining

By Councilmember Benavides

To amend the resolution in the eighth paragraph by striking the language which currently follows the words "shall be" and substitute the following:

"RECEIPTED IN THE GENERAL FUND AND HELD AS A RESERVATION OF FUND BALANCE WITH ALL INTEREST EARNED ON THESE FUNDS TO BE CREDITED TO THIS ACCOUNT. THIS SUM SHALL BECOME THE PROPERTY OF THE CITY AND SHALL NOT BE RETURNED TO THE DEVELOPER NOR SHALL THE DEVELOPER HAVE ANY CLAIM TO THE RETURN OF THE $500,000. IF THE DEVELOPER COMPLIES WITH ALL THE SALE AGREEMENT'S TERMS AND CONDITIONS, AND CLOSES WITHIN THE TIME FRAME REQUIRED BY THE AMENDED AGREEMENT, THE SUM OF $500,000 RECEIPTED SHALL BE CREDITED TOWARD THE PURCHASE PRICE OF 4.2 MILLION DOLLARS."

Amendment adopted by the following vote:

YEAS: 6

NAYS: 1

ABSTAIN: 1

By Councilmember Lilly

To amend the resolution in the ninth paragraph to state;

"BE IT FURTHER RESOLVED that before the Mayor is authorized to sign the Agreement as amended, the Interim Finance Director shall certify to the Mayor "AND CITY COUNCIL" that the Developer and its' General Partners are current in all its financial obligations due and owing to the City; and";

and that the tenth paragraph be amended to begin;

"BE IT FURTHER RESOLVED";

and that the following language be added to constitute the eleventh paragraph:

"BE IT FINALLY RESOLVED: THAT IF THE DEVELOPER DOES NOT AGREE IN WRITING TO THE ABOVE MENTIONED TERMS AND CONDITIONS ON OR BEFORE SEPTEMBER 29, 1993, THE ORIGINAL SALE AGREEMENT SHALL REMAIN IN FULL FORCE AND EFFECT AND THE MAYOR IS AUTHORIZED TO ENFORCE THE ORIGINAL SALE AGREEMENT'S TERMS AND CONDITIONS."

Amendments adopted by the following vote:

YEAS: 6

NAYS: 1

ABSTAIN: 1

The amended resolution reads as follows:

RESOLUTION #537
BY: COMMITTEE OF THE WHOLE

WHEREAS, on March 18, 1991 the Lansing City Council approved a contract for sale of land for private development by and between the City of Lansing ("City") and Heart of the City Associates II Limited Partnership ("Developer"); and

WHEREAS, the approved contract provided for a closing date of no later than September 30, 1993; and

WHEREAS, the Lansing Center is currently undergoing a major expansion which is not scheduled to be completed until the Spring of 1994; and

WHEREAS, the Lansing Convention Visitors Bureau and the Lansing Convention Exhibition Hall Authority have requested the Lansing City Council and the Mayor to extend the closing date on the sale of the Lansing Civic Arena until September 30, 1994; and

WHEREAS, both the Lansing Convention Visitors Bureau and the Lansing Convention Exhibition Hall Authority have indicated to the Mayor and City Council that if the Lansing Civic Arena is unavailable for use during the time period the Lansing Center is still under construction, a number of shows will be unable to be held in Lansing thereby resulting in a substantial decrease in revenue both to the Lansing area business and the Lansing Convention Exhibition Hall Authority; and

WHEREAS, the Mayor has concurred in the recommendation of the Lansing Convention Visitors Bureau and the Lansing

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Chairman of the Election Commission, Marilynn Slade. Mr. Eggleston thanked Councilmember Ford for nominating him to the Blue Ribbon Committee on a Minor League Baseball Team. Kris Nicholoff, he said, is the perfect chair for this committee. Mr. Nicholoff kept Kids Kamps open and raised $20,000 to bring Middle School Athletic Programs back to the Lansing area. He asked about the status of an abandoned house on the west side of Waverly Road that has fallen into a state of disrepair.

Robert Aldrich of 3712 Wainwright on behalf of the Lansing Board of Education, thanked City Council, Kris Nicholoff and the Lansing Youth and Recreation Fund for their support of Middle School Athletics. When the School Board originally considered bringing athletics programs back to middle schools it was to have been on a 'pay for play' basis, however, last Thursday the City of Lansing and the Lansing Youth & Recreation Fund entered into a partnership for the provision of middle school sports with no participation fee from kids. Mayor Crawford thanked Councilmember Ford for his work on the program, it will be a big help to children and other citizens in the community.

Bob Truax of 3639 Aragon Dr. informed Council that as of last Thursday the house on Glencoe (that was to have been a residential care facility) has been sold. He thanked Councilmembers Canady and Ford and Mayor Crawford for their help with this situation.

Russell Greear of 3801 Walton said Council is destroying the City and will be voted out in November. People are leaving town in droves.

Matthew Bonk of 1015 S. Washington said he is a member of a group of people who are gathering on a regular basis to pray that Councilmembers be given wisdom. He urges them to be fair and just with the trust of the public.

Tim Lewis of 500 S. Pine 1015 asked how many Councilmembers read the letter he submitted for tonight's agenda. Councilmember Brockwell, as presiding Chair of Council, should have said please to Mr. Bernstein earlier tonight. He stated his resentment over the use of public comment time by Councilmembers.

Ken Vaughan of 114 Garden St. said that it is rumored that the reason that the Civic Arena does not produce income is because the present manager tells people that the building has been sold and they cannot book events there. He asked how many conventions are necessary for the Lansing Center to pay for itself. Councilmember Ford stated his objection to Mr. Vaughan repeating a rumor of this type on public television, because, he has no proof of its' validity.

Thelma Osteen of 416 Beaver St., President of the North Lansing Community Association said that the business and property owners in the area of Turner St. want the lot that the City acquired from Frank Basel to be paved and lit. There has been no new parking developed in this area for several years. There are people interested in purchasing some of the old buildings in this area, but, they are concerned over the lack of parking facilities. Paving and lighting of this lot will also cut down on vagrancy and the use of the lot for drinking and camping out by homeless persons.

Lloyd Teets of 116 E. Elm St. asked if he is considered as an observer or a participant during the time he is making public comment at Council meetings. He criticized Mayor Crawford for what he described as a lack of leadership ability.

Michael Warren of 2618 S. Waverly spoke in support of the reinstatement of Officer Bruce Ferguson and payment by the City of the legal expense incurred by Sergeant Clyde Smith. Councilmember Ford said that the issue of reimbursement of Sergeant Smith's legal fees was referred to the Committee on General Services. They have asked for a legal opinion by the City Attorney. When the Committee receives the opinion, they will make a recommendation.

Curtis Smith of 3950 Sheffield, brother of Sergeant Clyde Smith and friend of Officer Ferguson, said they have been encouraged to bombard the Mayor's Office and City Council with letters and requests on behalf of these officers. The Mayor, he said, should and could have taken the responsibility for solving this problem without it going to court. The expense of this investigation was unnecessary and could have been avoided. He called for the reinstatement of Officer Ferguson to the Police Department.

Melvin Farmer of 3707 Ridgefield thanked Council on behalf of his neighborhood and the Old Oaks subdivision for their efforts in opposition to the Glencoe Residential Care Facility. Particularly, they want to thank Councilmember Ford, Mayor Crawford, President Canady and Al Knot for helping them achieve this preventive action.

Harold Leeman of 529 N. Francis thanked the Economic Development Corporation and the Tax Increment Finance Authority for getting the buildings adjacent to the Lansing Center torn down. He asked for repair of the big bump in the road at the intersection of N. Magnolia and Michigan Avenue.

Marge Ojibway of 429 W. Ionia #3 said that the income level of veterans and senior citizens is too low. They do not receive enough money to live on. She criticized Councilmember Ford for exerting influence over Councilmember Benavides and Council President Canady for being involved with the entity that is purchasing the Civic Arena.

Bill Brenke of 711 Riley said that the salmon were running at the Brenke Fish Ladder last week. He spotted them last Thursday at the rate of 20 fish per hour, Friday they were up to 30 per hour and by Saturday they were at 42 per hour. Their run is nearly over now.

ADJOURNED 10:30 P.M.
MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, September 27, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
September 27, 1993

The City Council of the City of Lansing met in regular session at 7:00 P.M. and was called to order by President Canady

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Benavides

MINUTES

By Councilmember Schmidt

To approve the Printed Council Proceedings of July 26, August 2, August 9, August 16, August 23, and August 30, 1993

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Brockwell

To accept the following under Suspension of the Rules:

1 / By Councilmember Brockwell; a letter from John Miernik, Vice-President of the Genesee Neighborhood Association requesting installation of a 4-Way Stop Sign at the Intersection of Lapeer & Sycamore Streets

2/ By Councilmember Lilly; a letter from David Schaberg protesting an increase in water rates by the Board of Water & Light

3/ By Councilmember Lilly; a letter from William Calore regarding the proposed Minor League Baseball Stadium

Carried unanimously

SPECIAL CEREMONIES

A. City Clerk Slade announced that the Special Ceremony scheduled for tonight's meeting has been pulled at the request of Mayor Crawford.

SCHEDULED PUBLIC HEARINGS

There were no Scheduled Public Hearings

PUBLIC COMMENT

Betty Kost of 1425 McIntyre Ct. expressed her appreciation to the O'Leary Paint and Lansing Sanitary Supply companies for building on the old Diamond Reo property. She offered Council a list of names of people who are willing to help with the development of a monument on that site commemorating R. E. Olds.

Lloyd Teets of 116 E. Elm spoke in support of the erection of a Historical Marker on the Diamond REO site. He suggested that the City pay tribute to R. E. Olds by naming one of the new meeting rooms in the Lansing Center after him. He spoke in support of the passage of the blighted district ordinance, but, he hopes the City does not have to use it at some point in the future.

Douglas Fairbanks of 525 E. Mt. Hope spoke in support of SLU-08-93, special land use for Volunteers of America.

Russell Greear of 3801 Walton Dr. said he has observed some changes in cable service which he perceives to be caused by the new cable law. He suggested that Mayor Crawford and Councilmembers attend the dedication ceremony for the Diamond REO property. It is useless for Council to set a Public Hearing in consideration of SLU-10 93, he said, because they only listen to special interest groups.

Russell Terry of 121 E. Mt. Hope spoke in support of the change of intent for the purchase of equipment for the North Grand Ramp and of a Historical Marker on the Diamond REO property.

Harold Leeman of 529 N. Francis said that City Council should thank Betty Kost, Gladys Gillison and Gary Andrews for advocating the memorial on the Diamond REO site. He asked Councilmember Schmidt to investigate a problem with the pedestrian crossing at the intersection of Kalamazoo and Townsend.

Lee Shunk, Jr. of 601 Leslie St. asked when the Public Safety Committee will take up the issue of the request for traffic control on Sycamore Street.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Canady

Carried unanimously

A. Letter from Tim Lewis of 500 S. Pine regarding Council Rule #19

AT THE REQUEST OF COUNCILMEMBER LILLY THIS LETTER WAS READ INTO THE RECORD AS FOLLOWS:

City Clerk Marilynn Slade
124 W. Michigan Ave.
Lansing, MI 48933

RE: Blatant violation of Rule 19!

Dear Councilmembers,

I am writing you again in regards to a blatant violation of rule 19 by Councilwoman Alfreda Schmidt! A few weeks ago I specifically remember Lloyd Teets asking President Mark Canady if he may hold up an article from the Lansing State Journal newspaper. President Canady told Lloyd that he could not do that because he would be in violation of Rule 19.

I noticed that at the Council Meeting of September 20, Councilwoman Alfreda Schmidt held up a picture from the Lansing State Journal for the viewing public to see on camera. I am rather amazed that she may violate rule 19, but if the public does it, we are called out of order! Does Rule 19 apply to Council as well as the

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

public? If not, then I do not feel that my holding up a sign at the Council Meeting on June 21st was violating Rule 19! My sign DID NOT slander anyone at all! I was stating my opinion of how I felt about attending City Council Meetings! I do have the right to do that, do I not?

Also, there is another matter that I would like to bring to your attention. I have noticed with frequent occurance that Councilmembers talk with the public, while it is the time for the public to make their concerns known to you. The agenda clearly states that Council comment is before public comment. Why do you feel that you may comment during our time to speak? I feel that the only time that Council may talk to the public during OUR time to speak, is only when a direct question is being asked of you! I really get angry when you constantly interrupt the comments made by the public! I respect the time that Council has to make comments, but I highly disagree with you when you make comments during the PUBLIC COMMENT portion of the meeting! As I stated before, the only time that I feel that Councilmembers have a right to speak during public comment, is when we ask a specific question of you. I know that if I ever interrupted you during Council comment, I would be ruled out of order!

Let us try to work together to make things run smoothly! We can get things done if we try to respect each others time to speak! Thank you for reading this letter, and if you have any comments, or would like to talk, let me know and I will be more than happy to meet with you!

Sincerely,
Tim Lewis

B. Notice from the State of Michigan Department of Commerce, Liquor Control Commission of application to transfer stock interest in 1993 SDD & SDM License located at 736 W. Willow received from Momtaz Habba and Ala Habba

REFERRED TO THE MAYOR

MAYOR MAY COMMENT

Mayor Crawford said that his administration began looking into the Historical Marker for the former Diamond REO property over a month ago. He thanked Council for their quick action on Federal Grant Acceptance for the Police Department. This will mean increased capabilities for law enforcement. He outlined his letters on tonight's agenda and noted that his last letter is withdrawing the name of Brian Jeffries from consideration for appointment to the Board of Police Commissioners at Mr. Jeffries request.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. **RESOLUTION #538** September 27, 1993
President Canady and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PEDDLERS & TRANSIENT MERCHANT: Richard E. Gee
PUBLIC DRIVER: Kevin J. Vanderhout

Sincerely,
Marilynn Slade, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of September 20, 1993 for Review

C. Letters from the Mayor re:

1/ Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

2/ Appointment of Lori B. McSweeney to the Mayor's Citizens Advisory Committee on Recycling, Term to Expire June 1996

RECEIVED AND PLACED ON FILE

3/ Public Improvement V, Actual Cost Special Assessment Roll 324

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

4/ **RESOLUTION #539**
TO: Council President Mark Canady and City Councilmembers
FROM: James A. Crawford, Mayor
DATE: September 27, 1993
SUBJ: Trash Violation Fee (V-27)—$1,568.36

The attached trash violation/assessment fees for removal of trash and debris in the R.O.W. is forwarded with my concurrence for your review and appropriate action.

By Councilmember Ford

To accept the recommendations of the Mayor

Carried unanimously

5/ Traffic Control Changes; Saginaw St. & Seymour St. and Oakland Ave. & Seymour St.

6/ Federal Emergency Management Assistance Grant (FEMA)

7/ Resignation of Brian Jeffries from the Board of Police Commissioners

COMMITTEE REPORTS

RESOLUTION #540
THE COMMITTEE ON GENERAL SERVICES, to whom was referred the copy of a letter from Max Shunk addressed to Patricia Wilson, General Manager of Continental Cablevision, complaining about changes in services and rate increases,

REPORTS AS FOLLOWS: The Committee has referred Mr. Shunk's letter to the Cable Advisory Board. This report is for information only.

Signed: Charles Ford
Alfreda Schmidt
Robert Brockwell

BY COUNCILMEMBER FORD:

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #541

BY THE COMMITTEE ON WAYS AND MEANS to whom was referred the matter of a change of intent for purchase of a replacement parking gate in the South Grand Ramp,

REPORTS AS FOLLOWS; In August of 1993, a hit and run incident destroyed a parking gate (inclusive of mechanism) at the S. Grand Ramp. A police report was filed, but no responsible party was identified. Total damages were $3,832 for replacement of the gate. The City maintains insurance, with a $1,000 deductible, for such property damage. Insurance proceeds of $2,832 will be received for gate replacement. The Public Service Department has identified sufficient funds within the S. Grand Ramp Misc. and Operating Expense Account (585-453644-741000-0) to pay the insurance deductible. This funding would be transferred to the S. Grand Ramp Equipment account (585-453644-977000) to permit purchase of a replacement gate.

Under City Council's budget monitoring policy, purchase of equipment which was not included in the original adopted budget and which exceeds Charter executive transfer authority, requires approval of the City Council. The Committee recommends approval of a change of intent by the City Council to permit purchase of a replacement parking gate using insurance proceeds of $2,832 and $1,000 to be transferred from the S. Grand Ramp Misc. & Operating Expense Account.

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt

BY COUNCILMEMBER BENAVIDES:

That the report of Committee be approved.

CARRIED UNANIMOUSLY

September 27, 1993.

RESOLUTION #542

THE COMMITTEE ON WAYS AND MEANS discussed the importance of the Diamond-Reo site to Lansing and national history, and

REPORTS AS FOLLOWS: The committee is desirous of providing historical recognition of the contributions made to the City's and to the Nation's history on the Diamond-Reo site. The administration is requested to report on the costs and possible sources of funding for providing a historical marker. Further it is requested that the administration draft appropriate language for such a marker.

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt

BY COUNCILMEMBER BENAVIDES:

That the report of Committee be approved.

CARRIED UNANIMOUSLY

September 27, 1993

RESOLUTION #543

THE COMMITTEE ON PUBLIC SAFETY, to whom was referred the letter from Mario Domino regarding traffic problems at the corner of South Pine and West Kalamazoo,

REPORTS AS FOLLOWS: Mr. Domino and the co-signers of his letter outline a safety problem for pedestrians using crosswalks at the subject intersection. When drivers prepare to turn down Pine on a red light, they often look away from pedestrians crossing Kalamazoo. The drivers start forward before the presence of pedestrians reaches their attention. As a pedestrian, Mr. Domino reports he has almost been hit more than once. The letter has been referred to the Transportation Division for a study of this situation. This report is for information only.

Signed: Alfreda Schmidt
Tony Benavides
Charles Ford

BY COUNCILMEMBER SCHMIDT:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #544

THE COMMITTEE ON PUBLIC SAFETY, to whom was referred a report of pedestrian problems at the Cherry Street crosswalk near Davenport College,

REPORTS AS FOLLOWS: The Committee has confirmed that the Transportation Engineer is aware of the reports of problems, and he has pledged to take care of them. This report is for information only.

Signed: Alfreda Schmidt
Tony Benavides
Charles Ford

BY COUNCILMEMBER SCHMIDT:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #545

THE COMMITTEE ON PHYSICAL DEVELOPMENT and the COMMITTEE ON WAYS AND MEANS, to whom was referred the proposed ordinance to add a new Chapter 1217 to the Lansing Code of Ordinances, for the purpose of permitting use of Community Development Block Grant funds to prevent and eliminate conditions of blight and deterioration,

REPORTS AS FOLLOWS: Each Committee recommends that the ordinance be adopted.

September 27, 1993

BY COUNCILMEMBER LILLY:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTIONS

RESOLUTION #546

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, John A. Howlett filed a claim against the City in the amount of $1,400.00 for damages allegedly sustained as a result of a sewer back-up occurring at his residential property between April 19 and April 20, 1993; and

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the claim and the staff recommendation were reviewed by the Committee on General Services; and

WHEREAS, the Committee directed its staff to contact the claimant to schedule his appearance before the Committee, and a letter was sent August 27, 1993, plus several calls over a three week period to re-schedule the claimant's appearance, but he never attended; and

WHEREAS, the Committee has recommended that the claim be denied;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to deny the claim of John A. Howlett; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

September 27, 1993

By Councilmember Ford

Carried unanimously

RESOLUTION #547
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Scott Thomas Felner filed a claim against the City in the amount of $1,134.00 for damages allegedly sustained as a result of a sewer back-up occurring at his rental property located at 326 North Chestnut; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the claim and the staff recommendation were reviewed by the Committee on General Services; and

WHEREAS, the Committee directed its staff to contact the claimant to schedule his appearance before the Committee, and a letter was sent July 14, 1993, plus several calls over a seven-week period to re-schedule the claimant's appearance, but he never attended; and

WHEREAS, the Committee has recommended that the claim be denied;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to deny the claim of Scott Thomas Felner; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

September 27, 1993

By Councilmember Ford

Carried unanimously

RESOLUTION #548
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, October 18, 1993 at 7 p.m. for the purpose of opposing and/or approving the proposed Special Land Use permit, SLU-10-93, by Trinity Lutheran Church on property located at 501 West Saginaw Street, and to provide outdoor play space at the rear of 612 and 616 N. Pine Street, for a child care facility.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady Ford, Lilly, Schmidt

NAYS: None

ABSENT: None

RESOLUTION #549
SLU-8-93
430-440 N. Larch Street, Transitional Housing for 24 Individuals

WHEREAS Col. Patricia G. Dowell, Executive Director, Volunteers of America of Greater Lansing, Inc., requested a Special Land Use permit to amend the Special Land Use permit for property commonly known as 430-440 North Larch Street, and more properly described as:

Lots 6, 7, and 8, David M. Bagley's Subdivision, City of Lansing, Ingham County, Michigan.

and

WHEREAS the applicant proposes to construct an addition onto the existing structure at 430-440 North Larch Street to provide transitional housing for an additional 24 individuals, and

WHEREAS the applicant formerly received approval for a residential care facility (emergency overnight shelter) for 75 homeless people under a Special Land Use permit approved June 8, 1992; therefore, this is considered an amendment to SLU 4-92 to increase the number of people served by the residential care facility from 75 to 99, and

WHEREAS the Planning Board at its August 3, 1993 meeting unanimously recommended approval of the request with the understanding that the capacity beyond the already approved 75 may be allowed provided the 1,000 square feet of lot area per person requirement is waived by the Board of Zoning Appeals and subject to the following:

1. Compliance with all Building, Health Department and Fire Code requirements.

2. Approval of a site plan showing access, parking and any site changes,

and

WHEREAS the Physical Development Committee of the City Council to whom the report of the Planning Board was referred concurs with the report of the Planning Board,

NOW THEREFORE BE IT RESOLVED that the Special Land Use request for the Volunteers of America of Greater Lansing, Inc. to increase the capacity of the residential care facility located at 430-440 North Larch Street as described above is hereby approved to the following conditions:

1. Compliance with all Building, Health Department and Fire Code requirements.

2. Approval of a site plan showing access, parking and any site changes.

3. The applicant receive a variance from the Board of Zoning

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Appeals for the additional lot area requirement of this proposal.

FURTHER, in approving the Special Land Use request, the Board considered the following:

1. **Compatibility with Use on Adjacent Properties**
The site is located in the Cedar/Larch corridor in an area characterized by office, commercial and warehouse activity. This proposed homeless shelter would be the only residential use in the area. The likelihood is that the activities on adjacent properties will have more impact on the subject property than vice versa. Even then the relationship should not pose much of a problem since surrounding nonresidential activities are mostly daytime operations and would be closed when the major of activity was ongoing at the shelter facility.

To increase the number of homeless individuals from 75 to 99 with the proposed addition should not make the overall facility incompatible with the surrounding area.

2. **Change in the Essential Character of the Area**
The proposal to add onto the facility will still result in an activity that is less intense than the surrounding nonresidential area. There will be an increase in mostly pedestrian traffic in the area as clients seek to use the facility. No appreciable increase in vehicular traffic in the area is anticipated. Twenty-four hour supervision should be effective in controlling daily activities at the site and keep the facility a low-key operation that will not change the character of the area.

3. **Interference with Use of Adjacent Properties**
None anticipated.

4. **Improvement to Property and Surrounding Area**
Substantial improvements to the existing building and site are necessary to prepare the shelter facility for human habitation. The building is a warehouse structure that must be modified to accommodate the proposed shelter. The structure must be improved to meet building code and health and safety standards. The 52.5 ft. x 63 ft. addition will include twelve units housing 24 individuals, a kitchenette, laundry facilities and an area for congregate meals. Some landscaping will be added along the property's frontage along Larch Street.

5. **Environmental Impacts**
None anticipated. The impact of the facility with its proposed addition will be positive if the site and building are renovated and utilized in a productive manner.

6. **Impact on Public Services**
None anticipated.

7. **Impact on Utilities**
None anticipated.

8. **Compliance with the Master Plan**
As stated in the SLU-4-92 report on the original proposal (to house 75 individuals):

"The Cedar/Larch Master Plan designates this part of the corridor as a location for Central Business District support facilities. Such facilities are described as residences and businesses that support offices, office workers and commercial business in the Central Business District.

While the proposed activity is not in keeping with this definition, it replaces a similar facility already located near the CBD. The existing facility near the CBD has been acquired by the City as part of a redevelopment plan to strengthen the area.

Development for CDB activities in this section of the Cedar/Larch corridor has yet to be proposed. Because no firm commitments have been made to redevelop the area, it seems reasonable to establish the proposed use particularly when it will replace a use already established downtown. It provides an opportunity to continue a valuable service in the community, renovate an underutilized site and structure, and improve the appearance in the area.

The objectives of the Master Plan can still be achieved in the long term if development occurs as envisioned."

This Special Land Use permit for 99 individuals (amending the SLU-4-92) would further help to accommodate the homeless in this central location.

9. **Compliance with Zoning District Regulations**
The site is zoned in the "H" Light Industrial zoning district, which allows for a facility of the type proposed as a special land use with specific conditions. The facility with its proposed addition will meet all the following conditions as required.

a. Twenty-four hour supervision will be maintained on site.

b. The lot area (39,204 square feet) is large enough to accommodate 39 individuals (1,000 square feet per person). Since this proposal will increase the capacity from the approved 75 to 99, a variance would also be necessary for additional capacity beyond 75. An application for a variance would have to be filed at the appropriate time and ultimately approved by the Board of Zoning Appeals before additional capacity beyond 75 is allowed.

c. The proposed facility is located less than 1,500 feet from a similar facility but more than 500 feet, and it is separated by principal arterials and a main railroad right-of way. This distance under these circumstances is acceptable according to the Code.

Other Considerations
All codes related to building construction, health and fire safety must also be met. Evaluation will proceed during the site plan and building permit stages of review.

By Councilmember Lilly

Carried unanimously

RESOLUTION #550
COMMITTEE ON PHYSICAL DEVELOPMENT Sept. 23, 1993

FCF-2-93
6220 Gardenia

WHEREAS, pursuant to Act 28, Public Acts of 1977 of the State of Michigan, the Michigan Department of Social Services has notified the City of Lansing of its intent to license a child foster family group home to provide shelter and care for a maximum of six (6) foster children upon the premises commonly known as 6220 Gardenia Avenue, more particularly described as:

The south 88 feet of Lot 8, Gardendale Subdivision, City of Lansing, Ingham County, Michigan

Whereas, upon review of the application notice, the Department of Planning and Neighborhood Development found that:

1. There are other similar licensed facilities, existing or proposed, within 1,500 feet of this proposed facility, and

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

2. The property is presently developed with a single family residential structure, and

Whereas, the Physical Development Committee of the Lansing City Council, to whom the report of the Department of Planning and Neighborhood Development was referred, has reviewed the report and recommends the denial of a license based on a citywide policy of decentralization and dispersement of foster care facilities,

NOW THEREFORE BE IT RESOLVED, that the Council of the City of Lansing hereby recommends the denial of a child foster family group home at 6220 Gardenia;

BE IT FURTHER RESOLVED that the City of Lansing return the application notice to the Michigan Department of Social Services, attaching this resolution indicating that this proposed facility is located less than 1,500 feet from another similar facility, existing or proposed, with a recommendation for denial.

By Councilmember Lilly

Carried unanimously

RESOLUTUION #551
FY 1993-94
BY THE COMMITTEE ON WAYS AND MEANS:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

$5OO from Gen. Fd. Est. Rev. 1O1-0-170001-0
(from A/C 101-0-675003-0)

$500 to Police Dept. Bgt. Ctrl. 101-343201-992200-0
(Admin./Sworn overtime A/C 101-343201-708100-0)

$102,363 from Gen. Fd. Est. Rev. 101-0-170001-0
(from sale of land to be credited to A/C 101-0-673500-0)

$102,363 to Cap. Imp. Prog. Bgt. Ctrl.
101-933901-992200-13001
(Diamond Reo Cul-de-Sac Constr.
A/C 101-933690-974100-13080)

Submitted by:
Cleophus Boyd, Jr., Executive Assistant to the Mayor

By Councilmember Benavides

Carried unanimously

RESOLUTION #552
BY THE COMMITTEE ON WAYS AND MEANS RESOLVED

BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Federal funds became available through the State Office of Criminal Justice for Drug Apprehension and Forfeiture Program in the Spring of 1987; and

WHEREAS, the City, as the grantee, submitted an application for apprehension and forfeiture grant funds for the Tri-County Metro Narcotics Squad; and

WHEREAS, the City is a participant in the Tri-County Metro Narcotics Squad with other local units of government and the Michigan State Police; and

WHEREAS, recently the City has been advised that a grant in the total amount of $446,132 (Federal share $223,066, Local match $223,066) has been approved; and

WHEREAS, these monies will be used to pay salaries for (2) Asset Seizure Unit Detectives, (2) Assistant Ingham County Prosecutors, (1) Asset Seizure Unit Secretary; and

WHEREAS, the matching funds have been reserved in the Squad's asset and seizure account and these funds will be utilized for the match of $185,103, Michigan State Police funds will be utilized for the match of $37,963; and

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approves acceptance of Federal Grant Funds in the amount of $446,132 for a Drug Apprehension and Forfeiture Program.

By Councilmember Benavides

Carried unanimously

RESOLUTION #553
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Federal Funds became available through the State Office of Drug Control Policy for Street Level Drug Enforcement in the Spring of 1987; and

WHEREAS, the City, as the grantee, submitted an applicant for a Neighborhood Problem Solving for the Lansing Police Department; and

WHEREAS, recently the City has been advised that a grant in the total amount of $462,991 (Federal share $347,243, Local match $115,748) has been approved; and

WHEREAS, these monies will be used to pay salaries for (4) Community Police Officers, (1) Community Police Officer Sergeant, (1) Assistant City Attorney, (1) Landlord/Tenant Detective, and (1) Community Landlord/Tenant Organizer; and

WHEREAS, the matching funds have been reserved the R.E.A.C.H. Team's asset forfeiture account and these funds will be utilized for the match of $115,748; and

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves acceptance of Federal Grant Funds in the amount of $462,991 for a Neighborhood Problem Solving Grant

By Councilmember Benavides

Carried unanimously

RESOLUTION #554
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Campaign of the United Negro College Fund will welcome Andrew Young to deliver the keynote address at their Second Annual Benefit Dinner on Wednesday, October 6, 1993, at the Holiday Inn South; and

WHEREAS, during more than 35 years of public service, Andrew Young has been a two-term mayor of Atlanta, a three term member of the U.S. House of Representatives, and United States Ambassador to the United Nations under President Jimmy Carter; and

WHEREAS, Andrew Young was very instrumental in bringing the 1996 Summer Olympic Games to Atlanta, giving further evidence that he is among the outstanding leaders of his generation;

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 27th day of September, 1993, hereby honors the accomplishments of ANDREW YOUNG and welcomes him to Michigan's Capital City.

By Councilmember Ford

Carried unanimously

RESOLUTION #555
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Expectant Parents Organization (EPO) is a non-profit community service agency providing health education in the Greater Lansing area to more than 4,800 people each year; and

WHEREAS, the purpose of the EPO is to promote the physical and emotional well being of families, both before and after their babies are born through programs designed to educate parents about pregnancy, childbirth, adjusting to a changing lifestyle and caring for a newborn; and

WHEREAS, the EPO, which is also a Capital Area United Way participating agency, is celebrating its 50th Anniversary in 1993;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 27th day of September, 1993, hereby commends the board of directors and staff of the EXPECTANT PARENTS ORGANIZATION for 50 years of outstanding service to families throughout Greater Lansing.

By Councilmember Ford

Carried unanimously

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCE

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-7-93, 913, 915, 917 & 921 W. Allegan, "C" Residential District to "D-1" Professional Office District

was introduced by Councilmember Lilly, read a first and second time by its title and referred to the Committee on Physical Development.

RESOLUTION #556
By Councilmember Lilly:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, October 18, 1993 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-7-93, 913, 915, 917 & 921 W. Allegan, "C" Residential District to "D-1" Professional Office District

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

NAYS: None

ABSENT: None

INTRODUCTION OF ORDINANCE

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-8-93, 927, 1001 & 1007 W. Allegan, "C" Residential District to "D-1" Professional Office District

was introduced by Councilmember Lilly, read a first and second time by its title and referred to the Committee on Physical Development.

RESOLUTION #557
By Councilmember Lilly:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, October 18, 1993 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-8-93, 927, 1001 & 1007 W. Allegan, "C" Residential District to "D-1" Professional Office District

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers seal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

NAYS: None

ABSENT: None

ORDINANCES FOR PASSAGE

By Councilmember Lilly:

That we proceed to the passage of Ordinances.

Carried unanimously

By Councilmember Lilly:

That the Ordinance when read be considered as read in its entirety.

Carried unanimously

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT AND THE COMMITTEE ON WAYS AND MEANS

By Councilmember Lilly:

Resolved by the City Council of the City of Lansing that an Ordinance to Add a Chapter, Chapter 1217 to the Codified Ordinances of the City of Lansing, Michigan for the Purpose of providing for the use of Community Development Block Grant Funds to Prevent and Eliminate Conditions of Blight and Deterioration be placed on order of immediate passage.

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT:

By Councilmember Lilly:

Resolved by the City Council of the City of Lansing that an Ordinance to Add a Chapter, Chapter 1217 to the Codified Ordinances of the City of Lansing, Michigan for the Purpose of Providing for the use of Community Development Block Grant Funds to Prevent and Eliminate Conditions of Blight and Deterioration be now passed.

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

NAYS: None

A8SENT: None

By Councilmember Lilly

That this Ordinance, being necessary for the immediate preservation of the public peace, health or safety, shall take effect upon passage

Carried unanimously

ORDINANCE NO. 869

AN ORDINANCE TO ADD A NEW CHAPTER 1217 TO THE CODE OF THE CITY OF LANSING TO PROVIDE FOR THE USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS TO PREVENT AND ELIMINATE CONDITIONS OF BLIGHT AND DETERIORATION.

The City of Lansing ordains:

Section 1. That Part Twelve of the Codified Ordinances of the City of Lansing, Michigan, is hereby amended by adding a new Chapter 1217, which reads as follows:

1217.01 **PURPOSE.** AN ORDINANCE TO BETTER ASSIST THE CITY IN MEETING THE NATIONAL OBJECTIVES ESTABLISHED FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM PURSUANT TO 24 CFR 570.208 BY DEFINING "BLIGHTED, DETERIORATED OR DETERIORATING AREAS"; BY AUTHORIZING THE USE OF CDBG FUNDS FOR REHABILITATION AND IMPROVEMENT ACTIVITIES ON AN AREA BASIS; AND AUTHORIZING THE COUNCIL TO DESIGNATE THE BOUNDARY OF SUCH AN AREA BY RESOLUTION.

1217.02 **FINDINGS.** THE COUNCIL HEREBY FINDS AND DECLARES THAT THERE CONTINUES TO EXIST WITHIN THE CITY, BLIGHTED, DETERIORATED OR DETERIORATING AREAS, NOTWITHSTANDING PRIOR EFFORTS OF THE CITY TO ERADICATE THE SAME.

1217.03 **USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS.** THE COUNCIL HEREBY AUTHORIZES USE OF CDBG FUNDS AS A TOOL TO PREVENT AND ELIMINATE BLIGHTED, DETERIORATED AND DETERIORATING CONDITIONS, IN DESIGNATED AREAS.

1217.04 **DEFINITION.** FOR PURPOSES OF THIS CHAPTER, "BLIGHTED, DETERIORATED OR DETERIORATING AREA" SHALL MEAN A PORTION OF THE CITY, DEVELOPED OR UNDEVELOPED, IMPROVED OR UNIMPROVED, CHARACTERIZED BY OBSOLESCENCE, PHYSICAL DETERIORATION OF STRUCTURES THEREIN, INCOMPATIBLE LAND USES, IMPROPER DIVISION OR ARRANGEMENT OF LOTS AND STREETS AND OTHER OPEN SPACES, MIXED CHARACTER AND USES OF THE STRUCTURES OR ANY OTHER SIMILAR CHARACTERISTICS WHICH ENDANGER THE HEALTH, SAFETY, MORALS, OR GENERAL WELFARE OF THE CITY AND ITS RESIDENTS, AND WHICH MAY INCLUDE ANY BUILDINGS OR IMPROVEMENTS NOT IN THEMSELVES OBSOLESCENT, AND ANY REAL PROPERTY, RESIDENTIAL OR NONRESIDENTIAL, WHETHER IMPROVED OR UNIMPROVED.

1217.05 **DESIGNATION OF AREA BY COUNCIL RESOLUTION.** THE CITY COUNCIL MAY DESIGNATE BY RESOLUTION THE BOUNDARY OF A BLIGHTED, DETERIORATED OR DETERIORATING AREA. UPON SUCH A DESIGNATION, AND SUBJECT TO FUNDING, CDBG ASSISTANCE MAY BE PROVIDED FOR ELIGIBLE ACTIVITIES IN THE AREA TO PREVENT OR ELIMINATE BLIGHTED, DETERIORATED, AND DETERIORATING CONDITIONS.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by City Council.

Given immediate effect by motion of Councilmember Lilly and unanimous vote of Council

MARILYNN SLADE, CITY CLERK

CONSIDERATION OF LATE ITEMS

1/ By Councilmember Brockwell; a letter from John Miernik, Vice President of the Genesee Neighborhood Association requesting installation of a 4-Way Stop Sign at the Intersection of Lapeer & Sycamore Streets

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

2/ By Councilmember Lilly; a letter from David Schaberg protesting an increase in water rates by the Board of Water & Light

REFERRED TO THE MAYOR AND THE BOARD OF WATER & LIGHT

3/ By Councilmember Lilly; a letter from William Calore regarding the proposed Minor League Baseball Stadium

REFERRED TO THE
BLUE RIBBON COMMITTEE'S LEGAL SUBCOMMITTEE

MAYOR'S COMMENTS

Mayor Crawford offered condolences to the families of the two men who perished in the plane crash at Holmes and Waverly today, and expressed his appreciation for those groups on the scene to help. Duane Vernon's group was there all day passing out coffee and donuts to workers. He thanked the Red Cross and Quality Dairy for their contributions to the emergency response effort. The Federal Aviation Administration is on their way to begin an investigation. He appealed to the residents to stay away from this area. The two fatalities were the pilot and passenger of the plane. There were no ground fatalities. He announced that he will be presenting proclamations to LEAF honorees at the Foundation's dinner this week. He introduced Julie Schneggenburger, the Sergeant-at-arms for tonight's meeting. She will become the new Community Policing Officer for Kingsley Community Center.

COUNCILMEMBER'S COMMENTS

Councilmember Schmidt announced that the public Safety Committee will take up the Sycamore Street issue at their meeting this Wednesday at 2:00 P.M. She does not believe she violated rule #19 when she displayed a picture of her 100 year old father at last week's City Council meeting. Mr. Lewis's criticism is unfair.

Councilmember Ford asked for a report on the availability of restroom facilities in the Lansing Center. He asked for an update on the construction phase and the proximity of rest rooms to the main entrance available at the Committee of the Whole meeting this Thursday. Mayor Crawford suggested a walk through for Councilmembers and offered to arrange one.

Councilmember Belen informed Councilmember Ford that there are two large restroom facilities on the first floor one on the West side and one on the North.

Councilmember Brockwell congratulated Andy George on the

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

wonderful job he has done as a member of the Community Policing Unit. Andy is getting ready to leave the unit and deserves commendation for his performance while assigned to it. He announced that the issue of a transfer of Class C Liquor License for Covello's will be taken up by the Public Service Committee this Wednesday.

Councilmember Beal said she received a call from a constituent requesting information about the billing of outside attorney fees for the Early Retirement Lawsuit. She requested a copy of this billing. She asked Councilmember Brockwell if the Public Service Committee would take up the request by Thelma Osteen for paving and lighting of a north side parking lot at this week's meeting. Councilmember Brockwell answered yes.

Councilmember Ford announced that the General Services Committee will continue their revocation hearings on Neo's Cabaret License this Friday at 5:00.

Council President Canady announced that the Crown Boxing Club will hold an open house this Wednesday from 6:30 to 8:30 P.M. at 1010 Ballard. The boxing club property was donated by John Demmer of the Demmer Corporation.

PUBLIC COMMENTS

William Bernstein of 420 Baker St. spoke regarding his last arrest for violation of rule #19.

Lee Shunk, Jr. of 601 Leslie St. said that delivery vehicles who are allowed to violate no parking laws are causing problems with the traffic patterns in the downtown area. Why are these vehicles allowed to park in no parking zones while delivering their goods?

Douglas Fairbanks of 525 E. Mt. Hope said that hard work is the fountain of youth and Councilmember Schmidt's father seems to have found it. He is looking forward to seeing her father on television tomorrow morning.

Russell Terry of 121 E. Mt. Hope said that 7 of the 11 properties for demolish or make-safe should be saved. The State and Federal government should consider dropping their low income guidelines.

Ken Vaughan of 114 Garden St. suggested that the City use school crossing guards to solve their problems with pedestrian crossings. It is still not too late for the people of the City of Lansing to get what they deserve out of the Early Retirement Lawsuit. He will not give up. It is still not to late to do something about this.

Lloyd Teets of 116 E. Elm said that rule #19 is a double standard. Everyone, he said, should attend the Board of Water & Light meeting tomorrow night. Their Board will be considering a raise for Mr. Pandy. He thanked Russell Smith for "crunching the numbers on the Early Retirement Plan". This was a voluntary effort on Mr. Smith's behalf and it took him hundreds of hours to come up with an estimate of the cost.

Robert Tresize, Jr. of 834 Fred St. showed Council one of the recycling bags provided to him by his landlord, Hamco Management Company. He is charged $1.50 per bag for them. Hamco is now complying with the Recycling Ordinance. He thanked Councilmembers Schmidt and Brockwell, City Attorney Knot, Mayor Crawford, the Mayor's Advisory Committee on Recycling, and most of all, Marshall Klaus, Recycling Director for the City for developing and implementing the program.

Tim Lewis of 500 S. Pine thanked Councilmember Lilly for having his letter read into the record. He asked how rule #19 applies to Councilmembers. He said he is tired of rule #19 getting "tossed around." Where was Councilmember Ford four months ago? Mr. Bernstein was making the same comments then that he makes now. Suddenly Councilmember Ford feels that Mr. Bernstein should be called out of order for comments that did not bother him then.

Councilmember Ford responded that rule #19 was drafted under the premise that this is a limited public forum, meaning, Council is allowed to set the rules and/or procedures under which they will conduct their business. He has received a number of calls from people who have expressed their concerns over Mr. Bernstein's slanderous comments about staff members. That is why he chose to request that Mr. Bernstein be called out of order. He did give Mr. Bernstein fair warning that the next time he made slanderous statements of a personal nature against that employee he would be called out of order.

Harold Leeman of 529 N. Francis said that Councilmember Lilly's late item on the baseball team should have been read into the record so that everyone would know where they are headed with this project. There needs to be some understanding about late items. He urged the Administration and Councilmembers to read the Ethics Board Opinion on the Early Retirement issue prior to making comments to the media about it. He asked that the issue of Jerome St. be put on the agenda for the Public Services Committee this week. He loaned Councilmember Lilly programs from 6 Minor League Baseball teams and asked to have them returned to him by November.

Russell Greear of 3801 Walton Dr. said it is nice to have all Councilmembers in attendance tonight. It is time, he said, for Councilmember Lilly to go up here and stop this smokescreen on this baseball thing. He accused Council of using a double standard in their rules of behavior.

Marge Ojibway of 429 W. Ionia said that additional funds should be provided to veterans and senior citizens. They need to be treated with tender loving care. Everyone should be given the same opportunity to live decent lives. There should be more respect and compassion given to the people who are being pushed out of their homes in order to make way for big business.

ADJOURNMENT 8:55 P.M.
MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, October 4, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
October 4, 1993

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Canady

PRESENT: Councilmembers Beal, Belen, Benavides, Canady, Lilly, Schmidt

ABSENT: Councilmembers Brockwell, Ford

The Invocation and Pledge of Allegiance were led by Councilmember Schmidt

CONSIDERATION OF LATE ITEMS

By Councilmember Belen

To accept the following under suspension of the rules:

1/ From Councilmember Belen; a request that the rules be suspended to allow for the presentation of resolutions of tribute to Cooley Law School and Smith Floral during the Special Ceremonies portion of the agenda

2/ From Councilmember Lilly; a resolution accepting the transfer of ownership of properties: located at 1026 N. Capitol, 225 W. Maple and 1022-1024 Seymour from Emanuel First Lutheran Church to the City of Lansing

3/ From Councilmember Beal; a letter from Ingham County Drain Commissioner, Lynne Martinez regarding the Pinetree/Jolly Road Site for the Soccer Complex

4/ From Councilmember Beal; a letter from The Eastside Neighborhood Organization regarding the Demolition of the LeNoble Building in the 1500 Block of E. Michigan Ave.

5/ From Councilmember Benavides; a resolution for Transfer of Funds

Carried unanimously

SPECIAL CEREMONIES

A. Councilmember Belen presented a resolution of tribute to Cooley Law School in honor of their having received The Outstanding Law School Award from the American Bar Association. She commended them on the outstanding job they have done in the field of legal education, and congratulated them for receiving this honor from the Bar Association. Dean Cox, of Cooley Law School thanked Council for this honor and expressed his pride in all of their graduates. Their's is the 4th largest law school in the United States, he said, they boast 1,600 students 78% of whom are from outside the Lansing Area. This brings a lot of vitality into our city and they are proud of this contribution.

B. Councilmember Lilly presented a resolution of tribute to Charles Smith of Smith Floral in honor of their 90 years of business in the City of Lansing. Mr. Smith thanked Councilmember Lilly for this honor.

C. Sharon Vaughan, Trustee of the DLA Fiduciary Trust II, along with Matt Perry, an Investment Broker with an interest in buying a baseball team, made a presentation regarding the construction of a baseball stadium in Lansing. They explained their backgrounds and answered questions from Councilmembers. Mr. Perry agreed to supply Councilmembers with figures demonstrating the financial success of other Minor League Baseball teams in cities like Peoria, Little Rock, Grand Rapids, and Fairview. The Minor League Baseball Industry is completely different than it was 20 years ago, he said, it has grown one hundredfold. He has ownership interests in a North Carolina team and has been involved in administration at every level of Minor League Baseball. This project has been accelerated because of the involved process the team owners have to go through to be approved by both Minor and Major League Baseball. Ms. Vaughan explained that her group will be involved through the underwriting of the loan for the stadium. They will not actually issue the loan, that will be done by a local bank, they will simply underwrite (or guarantee) it. Councilmember Lilly introduced the Chair's of the sub-committees of the Blue Ribbon Committee, who individually updated Council on their activities.

SCHEDULED PUBLIC HEARINGS

There were no Scheduled Public Hearings

PUBLIC COMMENT

Robert Bennett of 1601 Robertson spoke in support of the acquisition of a Minor League Team and the building of a stadium. He favors the E. Michigan Avenue site.

Louis Pothoff of 1712 W. Miller Road spoke in support of the E. Michigan Ave. site for location of a baseball stadium. He protested the requirements for Public Drivers Licenses in the City of Lansing, calling them a rip-off of taxi cab drivers.

Douglas Fairbanks of 525 E. Mt. Hope Ave. spoke in support of building a baseball stadium on the E. Michigan Ave. site.

Lloyd Teets of 116 E. Elms St. objected to Councilmember Lilly's late item. He has not had an opportunity to read the substitute resolution regarding the building of a baseball stadium, however, he read the original in the packet. He will not support this venture. Why hasn't the city investigated using a regional approach to this project? The surrounding cities and townships will benefit from the building of a stadium and they should share in the expense.

Russell Terry of 121 E. Mt. Hope said he does not want to see any money spent on the building of a baseball stadium. Most people cannot afford to spend the money necessary to attend the games.

Russell Greear of 3801 Walton Dr. said that the handicapped population cannot afford to buy tickets to baseball games. Council needs to "start going up here and helping out everyone. They need to go up here and start thinking about the city as a unit, if they are

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

going to go up here and help out this stadium."

Harold Leeman of 529 N. Francis said that the baseball project is on too much of a fast track. This is just a diversion to distract people from the issue of the Ethics Board Opinion on the Early Retirement Plan that was released last Friday. Their tactic must have worked, because the media has already left the meeting. East Lansing and Lansing Township should have been involved in these negotiations. He asked to have the words "and other amenities" removed from the resolution.

Russell Smith of 403 Rosadell asked Council to study the issue of building a baseball stadium very carefully and not commit any city subsidies to it nor receive any profit from it. He suggested that the old Boy's Training School property be considered as a potential site.

Del Maynard of 2017 Culver said that this project should only be executed as a private enterprise. The entire venture sounds too good to be true. They do not know who the people in this trust are, they could be in the mafia or into money laundering.

COMMUNICATIONS AND PETITIONS

By Councilmember Schmidt

That Communications and Petitions be considered as being read in full and that the proper referrals be made by President Canady

Carried unanimously

A. Notice from the State of Michigan Department of Commerce of corrections required for approval of the proposed R.E. Olds Plat

REFERRED TO THE MAYOR

B. Letter from Continental Cablevision responding to protests by Max D. Shunk about changes in Continental Cablevision service

REFERRED TO THE CABLE ADVISORY BOARD

At the request of Councilmember Lilly this letter was read into the record as follows:

September 22, 1993

Max D. Shunk
512 Village Drive
Lansing, MI 48911

Dear Mr. Shunk:

Thank you for your letter expressing some concern over your cable rates, I hope this letter will give you a better understanding of Continental's latest decisions.

Before the 1992 Cable Act took effect, cable customers across the country were given the incorrect belief that there would be an "automatic 10% roll back of rates across the nation." However, the real purpose of the law was to restructure rates in order to assign actual costs to services and equipment.

Some of the prices of our services and equipment were changed to more closely reach the actual cost. These changes lowered the prices of certain equipment and services, and increased the prices of others. Therefore, the services you receive affect what happens to your monthly bill.

The FCC regulations that govern how much a cable system can charge its' customers are 540 complex pages of calculations. When we calculate your rates, we are required to take into account several factors, such as operating costs, number of subscribers, and number of channels. Since the factors used to determine rates vary from system to system, actual rates will also vary. To ensure cable companies comply with the regulations, the FCC has set maximum permitted rates.

Additionally, the FCC declared that when cable companies restructured their rates, they were to remain "revenue neutral." In other words, as we increased rates for some of our services and equipment, we decreased rates for other services and equipment. So, despite the fact that some of our subscribers did receive a rate increase, "revenue neutrality" eliminated the possibility of our company making increased profits.

One of your concerns, was that your rates had increased. The fact is, the new rates are designed as a direct reflection of our costs, and are fully in compliance with the terms of the new law.

In an attempt to lessen the actual increase of basic service and continue to offer reasonably priced service options, we have removed WGN and WTBS, and placed them on a new tier, the Select Tier. This was done to allow customers to subscribe to basic for only $10.74. If we were to have left channels WGN and WTBS on basic, the rate for basic would have been at $11.33.

I am happy to have been able to respond to your concern. It is with input from customers such as yourself that we are better able to serve our community. Thank you for letting us have the opportunity to serve you.

Sincerely,
Patricia L. Wilson, General Manager

C. Holt Public Schools 1993 Winter Tax Certification and Tax Rate Request

REFERRED TO THE MAYOR

D. Michigan Tax Tribunal Appeal filed by attorneys for East Michigan Corporation

REFERRED TO THE CITY ATTORNEY

E. Letter from Russell F. Smith submitting his computation of the potential liability for Early Retirement benefits

REFERRED TO THE INTERNAL AUDITOR

F. Letter from the State of Michigan, Department of Natural Resources regarding cleanup of the Lansing Aurelius Road Landfill (Lansing Sanitary Landfill)

REFERRED TO THE MAYOR

G. Letter from the DLA Fiduciary Trust II, stating their intent to enter into a joint venture agreement with the City for the construction and maintenance of a Baseball Stadium

REFERRED TO THE MAYOR, CITY ATTORNEY,
AND THE COMMITTEE ON WAYS AND MEANS

MAYOR'S COMMENTS

Mayor Crawford outlined his letters on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. **RESOLUTION #558** September 27, 1993
President Canady and Members of the Lansing City Council

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Craig J. Ashley

Sincerely,
Marilynn Slade, City Clerk
City of Lansing, MI

By Councilmember Schmidt

To accept the recommendations of the City Clerk

Carried unanimously, Councilmember Lilly absent for the vote on this item

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of September 27, 1993 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1/ Recommendation for Comprehensive Plan Review and Amendment

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

2/ ACT-18-93, 2611 Northwest Ave.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

3/ North Lansing Cleanup

RECEIVED AND PLACED ON FILE

4/ North Town Cleanup

RECEIVED AND PLACED ON FILE

5/ SLU-11-93, 3200 Delta River Dr.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

6/ Parking Regulation Change: Jerome St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

7/ Request for Saturday work

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

8/ Traffic Control Request: Durant St. & Hyland St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

9/ Traffic Control Request Greenwood Ave. & Roseneath Ave.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

10/ Traffic Control Request Anson St. & Ronald St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

11/ Traffic Control Request Aurelius Rd. & Miller Rd.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

12/ Z-05-93, 1921 W. Holmes Rd.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

13/ Z-09-93, 3200 Delta River Drive

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

14/ Worksite Wellness Program Grant

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

There were no Committee Reports

RESOLUTIONS

RESOLUTION #559
BY COUNCILMEMBER BELEN

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Thomas M. Cooley Law School recently became the first law school in Michigan to be given the Outstanding School Award by the American Bar Association Law Student Division; and

WHEREAS, Thomas M. Cooley Law School was founded in 1972 to offer dedicated students a program of outstanding practical legal scholarship; and

WHEREAS, Thomas M. Cooley students have demonstrated their commitment to serving the Lansing community and the legal community at large through their involvement in worthwhile pro bono projects; and

WHEREAS, Thomas M. Cooley's stature as a preeminent national law school continues to grow as it attracts students from across the country;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 4th day of October, 1993, hereby congratulates President Thomas E. Brennan, the Board of Directors, Faculty, and Students of Thomas M. Cooley Law School for their recognition by the American Bar Association Law Student Division as the first law school in Michigan to be given the Outstanding School Award.

By Councilmember Belen

Carried unanimously

RESOLUTION #560
BY COUNCILMEMBER LILLY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Smith Floral and Greenhouses is observing the 90th anniversary of the founding of this family-owned and -operated business; and

WHEREAS, brothers Gurdon and Charles S. Smith established the company in 1903 with a first greenhouse, and several others later, supporting a downtown floral shop; and

WHEREAS, in 1950 the shop was moved to 1124 East Mt. Hope to join the greenhouses, and in 1953, company leadership passed to Charles son, Lawrence S. Smith, first as Vice-President/Treasurer, then as President in 1972; and

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

WHEREAS, the company expanded services and thrived under Larry's guidance, and his youngest son Charles M. Smith joined the business in 1975, working as a team until Larry's death in 1985; and

WHEREAS, Charlie is now President of Smith Floral and Greenhouses, which is currently ranked number 104 out of 25,000 Florists Transworld Delivery (FTD) floral shops in the world, and which continues to serve local customers in the finest family tradition with 23 full-time, 11 part-time and four seasonal employees;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 4th day of October, 1993, hereby commends and congratulates Charles M. Smith and his extended family at Smith Floral and Greenhouses for 90 years of outstanding service to the Capital City and to customers around the world.

By Councilmember Lilly

Carried unanimously

RESOLUTION #561
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, October 25, 1993, at 7 p.m. for the purpose of opposing and/or approving the proposed Special Land Use permit, SLU-11-93, by Immanuel Community Reformed Church, on property located at 3200 Delta River Drive, for expansion of existing church facility.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Beal, Belen, Benavides, Canady, Schmidt

NAYS: None

ABSENT: Councilmembers Brockwell, Ford

RESOLUTION #562
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing enjoys several characteristics of geography and demography that will make the Capital City a success as the home of a minor league baseball team; and

WHEREAS, the City has received from Sharon Vaughn, a trustee, on behalf of the DLA Fiduciary Trust II, located in San Antonio, Texas, a letter of intent to enter into a joint venture agreement for the purpose of constructing and maintaining a baseball stadium in Lansing; and

WHEREAS, the City's obligation under said agreement would be to donate necessary real estate for construction of the stadium and/or other amenities as agreed to by the parties;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 4th day of October, 1993, hereby expresses its interest regarding development of an agreement with DLA and the DLA Fiduciary Trust II, for the purpose of constructing and maintaining a baseball stadium in the City of Lansing, with such agreement to be negotiated on behalf of the City by the Committee on Ways and Means with staff assistance from the City Attorney and the Mayor's Administration.

By Councilmember Benavides

To substitute an amended resolution for the original submitted in the packet

Carried unanimously

By Councilmember Benavides

To place an affirmative roll call vote on the substituted resolution

Adopted by the following vote:

YEAS: Councilemmbers Belen, Benavides, Canady, Lilly, Schmidt

NAYS: Councilmember Beal

ABSENT: Councilemmbers Brockwell, Ford

RESOLUTION #563
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing is a community, like all others, with its share of social challenges; and

WHEREAS, Lansing has many organizations and agencies designed and committed to addressing these challenges; and

WHEREAS, the students, faculty and staff of Michigan State University and Lansing Community College understand the challenges our community faces and realize their responsibility as members of the community; and

WHEREAS, the students, faculty and staff have expressed interest in developing partnerships with agencies which address the issues of AIDS, Children and Youth, Domestic Violence, Education, the Environment, Handicapper issues, Homelessness, Hunger, Literacy, Substance Abuse, and Refugee Services;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 4th day of October, 1993, do hereby proclaim the week of October 25-31, 1993, as

"INTO THE STREETS WEEK"

in Lansing, and urge all citizens to join this Council in recognizing and supporting the coalition of Michigan State University and Lansing Community College students, faculty and staff who have joined to increase the awareness of education and resources available to address the challenges faced by people throughout the Greater lansing Community.

By Councilmember Benavides

Carried unanimously

RESOLUTION #564
BY COUNCILMEMBER RICK LILLY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing has been working with Emanuel First Lutheran Church, HABITAT FOR HUMANITY, Inc., and Franklin Street Community Housing Cooperative, since May, 1993, to relocate residential housing structures from the school and day care facility expansion site of Emanuel First Lutheran Church; and

WHEREAS, agreements have been reached with each of the non-profit housing corporations and the City of Lansing as to the location, number of units, and "not to exceed" cost estimates for moving the structures at 225 West Maple, 1026 North Capitol, and 1022/24 Seymour; and

WHEREAS, the City has drawn up and is in the process of executioning contracts with its sub-recipient to complete the site

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

preparation, foundations, and moving of these three structures; and

WHEREAS, the sub-recipient has indicated that contractors are available and have been scheduled to begin the moving process as soon as the City has obtained the title to these structures through donation from the Emanuel First Lutheran Church; and

WHEREAS, the City Council did, in Resolutions #212 and #213, recommend moving of these structures if at all possible,

BE IT RESOLVED that the Lansing City Council hereby accepts the donation of the structures at 1026 North Capitol, 225 West Maple, and 1022/24 Seymour with the understanding that they will be moved and sited on existing vacant lots in the general neighborhood and the Mayor is authorized to execute the proposed Memorandums of Understanding A, B, C and D.

By Councilmember Lilly

October 4, 1993

Carried unanimously

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCE

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z—5—93, 1921 W. Holmes Rd., "A" Residential District to "DM-1" Residential District

was introduced by Councilmember Lilly, read a first and second time by its title and referred to the Committee on Physical Development.

RESOLUTION #565

By Councilmember Lilly:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, October 25, 1993 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-5-93, 1921 W. Holmes Rd., "A" Residential District to "DM-1" Residential District

By Councilmember Lilly

Carried unanimously

INTRODUCTION OF ORDINANCE

The following ordinance of the City of Lansing, Michigan, providing that the Code of Ordinances be amended by providing for the rezoning of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the Code for property located at:

Z-9-93, 3200 Delta River Drive to be rezoned from "A" Residential, "B" Residential and "J" Parking Districts to "A" Residential District

was introduced by Councilmember Lilly, read a first and second time by its title and referred to the Committee on Physical Development.

RESOLUTION #566

By Councilmember Lilly:

Resolved by the City Council of the City of Lansing that a public hearing be set for Monday, October 25, 1993 at 7 p.m. in City Council Chambers, Tenth Floor, Lansing City Hall, 124 West Michigan Avenue, Lansing, Michigan, for the purpose of approving and/or opposing the Ordinance for rezoning:

Z-9-93, 3200 Delta River Drive, "A" and "B" Residential and "J" Parking Districts to "A" Residential District

By Councilmember Lilly

Carried unanimously

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Belen; a request that the rules be suspended to allow for the presentation of resolutions of tribute to Cooley Law School and Smith Floral during the Special Ceremonies portion of the agenda

THE RULES WERE SUSPENDED AND RESOLUTIONS #559 & #560 WERE PRESENTED DURING THE SPECIAL CEREMONIES PORTION OF THE AGENDA

2/ From Councilmember Lilly; a resolution accepting the transfer of ownership of properties located at 1026 N. Capitol, 225 W. Maple and 1022-1024 Seymour from Emanuel First Lutheran Church to the City of Lansing

HANDLED AS RESOLUTION #564

3/ From Councilmember Beal; a letter from Ingham County Drain Commissioner, Lynne Martinez regarding the Pinetree/Jolly Road Site for the Soccer Complex

RECEIVED AND PLACED ON FILE

4/ From Councilmember Beal; a letter from The Eastside Neighborhood Organization regarding the Demolition of the LeNoble Building in the 1500 Block of E. Michigan Ave.

REFERRED TO THE PUBLIC SERVICES COMMITTEE AND THE CITY ATTORNEY

5/ From Councilmember Benavides; a resolution for Transfer of Funds

TABLED FOR ONE WEEK BY MOTION OF COUNCILMEMBER BENAVIDES

MOTION OF EXCUSED ABSENCE

By Councilmember Belen

To excuse Councilmembers Brockwell and Ford from tonight's proceedings

Carried unanimously

MAYOR'S COMMENTS

Mayor Crawford thanked the Ethics Board for their long hours of investigation, and for the formulation of their Opinion on the Early Retirement Plan. He and his staff have already begun reviewing their recommendations and addressing the issue of how to implement them. He announced that the City is the recipient of a $100,000 Federal Grant to be used for computer centers to work

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

with young people. Mt. Hope Ave. will be closed between Cedar St. and Pennsylvania Ave. beginning today through October 18, 1993. Regarding the demolition referenced in the late item from Councilmember Beal, demolition permits were issued for this project. This was not a historical building and the proper procedure was followed, however, he suggested a future policy of informing the Eastside Neighborhood Organization of the issuance of permits for demolition in their area.

COUNCILMEMBER'S COMMENTS

Councilmember Schmidt said that the Public Safety Committee will take up the issue of Seymour and Oakland streets at their meeting this Wednesday. She thanked the Mayor for his concurrence on the Miller and Aurelius Road report. She has not yet read the Ethics Board report on their opinion, but, she thanked them for the time spent in development of it.

PUBLIC COMMENTS

William Bernstein of 420 Baker St. declared tonight to be "remember in November night". He protested being charged a $500.00 bond for his last arrest and said he called President Canady to discuss the matter of his trial and never received a return call from him.

Lewis Pothoff of 1712 W. Miller Rd. asked who makes the decision to issue permits for demolition. He would appreciate receiving a phone call at his home 882-0593 on Wednesday with the answer to this questions. He praised the Police Department and said they are one of the finest in the State. They are underpaid and overworked. We should have more officers on the force. He criticized Council for favoritism toward special interest groups.

Douglas Fairbanks of 525 E. Mt. Hope complimented Councilmember Lilly on his efforts to bring a baseball team into the City.

Ken Vaughan of 114 Garden St. said Council is on the right track with the baseball stadium. He asked for a guarantee that the City is not going to sign an agreement to enter into any loan to bring a baseball team into the area.

Del Maynard of 2017 Culver said that the baseball project should be completely financed through private enterprise. The site should be inside the city limits. The City should not be involved in this project at all.

Lloyd Teets of 116 E. Elm said that Wednesday morning at 8:30 A.M. Judge Cherry will, hopefully, rule on the constitutionality of Council Rule #19.2(c). The Ethics Board Meeting in which their opinion was released should have been televised.

Mary Haney of 1312 Roosevelt asked Councilmember Beal how she could justify to herself the cost of the Early Retirement investigation. This lawsuit cost the city a lot of money and it was due in part to the information that Councilmember Beal fed to the opposing side. How does she reconcile her actions with her fiduciary responsibility to the citizens of the City. Giving information to Mr. Vaughan's side is all well and good, however, she dropped it like a hot potato right in the middle of the investigation. How does she justify her actions? Councilmember Beal said that everything that she knew about this issue was a matter of public record.

Lee Shunk, Jr. of 601 Leslie St. said that the construction of a stadium and acquisition of a ball team will inevitably cost the city more money because it will require more emergency services in the way of police protection and paramedic's and firemen. Have they included increased funding in the budget to meet these needs?

Beth Monteith of 1445 Vine St. urged Councilmembers to take affirmative action on the Ethics Board Advisory Opinion on the Early Retirement Plan. They should use this opportunity to correct a series of mistakes made in the past. This situation cannot be ignored, it is too serious. They must take steps to fix it.

Clyde Smith of 6615 E. Galaway Circle, E. Lansing said that the City made a mistake in the dismissal of Bruce Ferguson from the Police Department and now they need to make it right. The Fraternal Order of Police has endorsed Mayor Crawford in his bid for re-election, however, they did so without canvassing their members to see if they approved of the endorsement. He and several other officers support Hollister's campaign for the Mayor's Office. He attempted to meet with Mayor Crawford regarding this endorsement, but, Mayor Crawford canceled their meeting and never rescheduled. Maybe a new mayor would make the Bruce Ferguson issue right.

Harold Leeman of 529 N. Francis challenged Council to take the recommendations of the Ethics Board and get moving on them. They spent hours getting this opinion developed. He thanked the State Journal for their front page report on the opinion. Council should appoint a special committee to review the recommendations contained in the opinion, he said.

ADJOURNED 10:01 P.M.
MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, October 11, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
October 11, 1993

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Canady

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Schmidt

CONSIDERATION OF LATE ITEMS

By Councilmember Beal

To accept the following under suspension of the rules:

1/ From Councilmember Beal; a resolution requesting a recommendation from the Michigan Municipal League Ethics Committee regarding Ethics Board Opinion #20

2/ From Councilmember Ford; a minority report from a member of the Cable Advisory Board regarding Certification for the City of Lansing to Regulate Cable Rates

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. In Consideration of an order to Make-Safe or Demolish properties located as follows:

—435 N. Butler
—526 & 528 W. Genesee
—524 W. Genesee
—528 Seymour
—425 N. Pennsylvania
—1008 W. Ottawa
—2418 ½ Forest Ave.
—408 N. Butler
—1707 Turner St.
—130 ½ E. Kilborn (Rear House)
—1434 Pontiac

Councilmember Brockwell announced that Chief Building Inspector Hernandez is available tonight to answer any questions about these properties.

Lloyd Teets of 116 E. Elm St. protested the grouping of these separate properties into one public hearing. There should be an individual hearing on each property, he said. One of the criteria used to determine whether these houses should be renovated, or, torn down is the cost of renovation. If the cost of renovation exceeds the value of the home, the recommendation is for demolition. This concept should have been used in conjunction with the addition to the Lansing Center.

Councilmember Ford said that Mr. Teet's statements are an example of how things can be twisted to give the appearance that Council is doing something wrong. They are attempting to get these houses up to code (made-safe). They are asking that the houses be brought up to city standards in order to save them. Many, many times that is exactly what is done. This process puts the owner on notice that the house needs to be repaired so that they will bring their property up to standards.

Alma Miateck of 1434 Pontiac said she co-owns this property with her mother. They were moved out of their house, and, because one corner of the house sits within the 100 year floodplain, they were ineligible to receive any financial help from the city for fixing it. They have had to spend a lot of money to make renovations to this property compounded by the fact that they had to pay rent elsewhere while doing so.

Vivian Bloom of 227 S. Eighth said that she drove by all of these houses except for two. All except for one should be salvaged. Only the property on Pennsylvania appeared to her to be eligible for demolition.

Russell Terry of 121 E. Mt. Hope said he does not think the property at 425 Pennsylvania needs to be demolished. Blue collar workers have seen their wages drop in 1993. The state and federal wage requirements for loans should be lowered.

Lewis Pothoff of 1712 W. Miller said he asked last week for someone to call him and let him know who is responsible for the final determination regarding demolition. He never received the call.

Douglas Fairbanks of 525 E. Mt. Hope said he believes that the house on Pennsylvania should be demolished. Council and the Building Department have been very fair about giving these home owners time to repair their properties. When you buy a house, you are responsible for taking care of it.

Pat Pendarris of 220 Shepard St. said there is a house on her street, 216 Shepard St., that should be added to this program.

Harold Leeman of 529 N. Francis said he has questions about the properties located at 526, 528 & 524 W. Genesee. He has a friend that lives near these houses. They are quite an eyesore and he hopes they do something about them.

Tim Lewis of 500 S. Pine said he is opposed to the demolition of these homes. If you were homeless, and saw these houses being torn down, it would make your heart sink, he said. Most of them could be fixed, if the city were willing to help its' residents, the city would look better than it does.

Ingrid Jensen of 333 Bridge St., Grand Ledge, representing the FDIC in regards to the properties located at 524, 526 & 528 W. Genesee, said they are one of the title holders to these properties. They have tried to get the land contract holder to repair these houses to take them out of this program, but have been unable to get a response from him.

Al Kochka of 518 N. Pine said he bought his house in June of this

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

year. He is worried that the blight created by the three properties on W. Genesee will spread to his immediate neighborhood. Council must make sure that these three homes are either repaired, or, demolished.

Russell Greear of 3801 Walton Dr. said that Council does not need to go up here and demolish these homes. They should be given to the homeless to be renovated.

Ken Vaughan of 114 Garden St. asked how much would be lost in property taxes if these homes are demolished. He is opposed to the demolition of these homes because he does not want to see the City's tax base destroyed. He would like to see a policy developed through which an outside agency inspects these houses to determine how much it would cost to bring them up to code.

David Bell of 1002 W. Ottawa said he does not like to see homes torn down, however, the property at 1008 W. Ottawa definitely needs to be demolished.

Mark Fineout of 905 W. Genesee spoke in support of the demolition of 435 N. Butler. This property does not conform to zoning set backs and the construction does not meet code. There are no front or side yards, only a 10 foot rear yard and the flooring is substandard. It has been rented to undesirables many times in the past. Two summers ago they had a drive-by shooting at this location.

Councilmember Brockwell said that the Committee on Public Services will review all of these properties at their meeting on Wednesday at 9:30 A.M.

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

PUBLIC OOMMENT

Alma Miateck of 1434 Pontiac commended Councilmember Beal for her efforts on City Council.

Marilynn Slade of 1721 Canterbury Place, City Clerk for the City of Lansing and member of the Board of Ethics appealed to Councilmembers to accept the recommendations of the Ethics Board contained in Opinion #20, and settle the early retirement issue once and for all for the good of the City. The Ethics Board spent hundreds of hours conducting an investigation that resulted in a thorough and complete statement regarding what took place with the early retirement plan. They must not give consideration to an unendorsed draft from special member, Stuart Dunnings.

Don Cook of 1000 W. Mt. Hope, Vice Chairman of the Board of Ethics of the City of Lansing said that Opinion #20 does touch on a few legal points, but, the conflict of interest portions are based on the code of ordinances. The Board, he said, worked fairly and diligently to develop a fair and just opinion. He accused Council President Canady of deciding not to appoint Councilmember Beal to the Ad Hoc Committee because she supports David Hollister for Mayor. President Canady did not appoint her because he does not believe that she could be un-biased towards this issue, however, he appointed Councilmember Belen to the committee despite her endorsement of Jim Crawford for Mayor. The Ad Hoc Committee should be disbanded and the review of this opinion should be done by the Committee of the Whole in a public forum, he said.

John Mertz of 330 N. Clemens, Chairperson of the Board of Ethics of the City of Lansing said the Early Retirement Plan was a scam, and accused Council of trying to destroy the integrity of the Board of Ethics in order to get away with what they have done. They have attempted to impede the Board all along the way. Special Member Stuart Dunnings was no more than a "Council plant" on the Board. Council violated the law repeatedly in this matter and are now attempting to ignore this opinion and delay action on it until after the election in November.

Councilmember Ford objected to Mr. Mertz's accusations and said that he was appointed to this Committee by President Canady for the purpose of reviewing the opinion. That is what he will do. He has not given his support to any candidate and resents the implication that he has.

Councilmember Schmidt said that the comments of the members of the Board of Ethics cannot be documented. Mr. Dunning's summary of the situation is just one of the two to be considered. If they fail to give consideration to Mr. Dunning's report, they have not done their job, because they will not have looked at both sides. Mr. Dunning's summary will not be given consideration over and above the opinion of the other four members of the Board. This situation is entirely out of hand. "People like me, she said, gained nothing and never had any consideration of taking early retirement." Opinion #20 does not seem to study the ethics of the question. She did not stand to gain any financial benefit. The statements being made tonight ought to be reviewed by another Board of Ethics.

Councilmember Beal requested that her colleagues hold their comments until after public comment has taken place.

Lewis Pothoff, no address given, said Councilmembers should do their politicking on their own time. The installation of a traffic light at the intersection of Aurelius Rd. and Miller Rd. is too little too late, he said. It should have been done five years ago. He has friends that were badly injured at this intersection and he is tired of seeing people hurt there, especially kids.

Douglas Fairbanks of 525 E. Mt. Hope said that all yield signs should be 4-way stop signs.

Harold Leeman of 529 N. Francis asked if parking would be allowed on Pennsylvania between Jerome and Holmes after 4:00 in the afternoon. He agreed with Slade, Cook, and Mertz that the Dunnings report should not be before the Ad Hoc Committee. It is not an opinion of the board. The members of the Ethics Board should be given more respect. They took a lot of time with this investigation and opinion. Council put a lot of roadblocks in their way, the opinion says so.

Russell Greear of 3801 Walton Dr. said it is about time that these stop lights were put up. They need to put up more. The Traffic Committee is not doing their job. They are laying back about putting these up. Councilmember Beal, he said, should be on the Ad Hoc Committee. It does not matter how she votes, she represents the people of this town more than the other Councilmembers do.

Lee Shunk, Jr. of 601 Leslie St. spoke in support of Councilmember Beal's late item. The Ethics Board, he said, was created because the citizens of Lansing demanded it. If Council does not give credence to the opinion of the Board they will see a lot more outrage than they have right now. He thanked Marilynn Slade for the point of view she expressed tonight.

Kathy Langschwager of 1328 Prospect said that there is no safe place at Pattengill in which to stop to drop off your kids. She criticized Councilmember Schmidt for not being on top of this situation.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Helen Bailey 1622 Cooper Ave. spoke in support of Ethics Board Opinion #20, and Chairman John Mertz. Special Member Dunnings was nominated to this board by Mayor Crawford. They do not need a sub-committee to review the recommendations of the Ethics Board, they need Council to do so. It is none of President Canady's business what Councilmember Beal plans to do with her future.

Alexander Bolt of 1230 Reo complimented City Clerk Slade. He read from the summary of Opinion #20 submitted by the Board of Ethics of the City of Lansing.

Mary Massoglia of 2911 Cooley Dr. continued with the reading from the summary of Opinion #20.

Lloyd Teets of 116 E. Elm St. stated his opposition to the report submitted by Stuart Dunnings on the Early Retirement plan being reviewed by the Ad Hoc Committee appointed by President Canady. The Ethics Board does not recognize any such thing as a minority opinion. Dunning's opinion should have as much weight with City Council as his, (Teets) opinion does. He read the definition of the word 'ethics' from a dictionary. According to the Board of Ethics Rules of Procedure, Dunnings opinion cannot even be considered. He read from the opinion written by Special Member Stuart Dunnings.

Tim Lewis of 500 S. Pine continued reading from the opinion written by Special Member Stuart Dunnings.

COMMUNICATIONS AND PETITIONS

By Council member Schmidt

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Canady

Carried unanimously

A. Letter from Lewis W. Pothoff, no address given, apologizing for misquotes made by him at the October 4, 1993 Council meeting

RECEIVED AND PLACED ON FILE

At the request of Councilmember Lilly this item was read into the record as follows:

LETTER OF APOLOGY

To: Police Cheif Jerome Boles,

On October 4, 1993 I attend the City Counsil meeting. One of the things I spoke about was the Police Department; How good jobs they do, How over worked they are, How under paid they are, and How few people there on the Police Force.

My Apology is for misquating you on the size of the Police Force. What I should have done was take notes about what you told me, When we spoke last August on the phone. Now I think I have the correct figures. They were given to me, in writing, by Mr. Ron Onufer. In my opion your Department should have at least 50 to 75 more Officers and your budget should be increased by at least 3 million dollars.

In closing I would like to apologize again for my errors. I did mean well.

Sincerly,
Lewis W. Pothoff

B. Notice from the Ingham County Health Department of Seminars for "Local Options for Managing Solid Waste"

REFERRED TO THE MAYOR

C. Notice from the Board of Water & Light of a Scheduled Public Hearing to be held November 23, 1993 at 5:30 P.M. in their office building to allow for public input on their proposed water rate increases

REFERRED TO CHANNEL 28

D. Notice from the State of Michigan Department of Natural Resources of submission and approval of the City's Separate Sanitary Sewer Service Performance Certification Work Plan in conformance with the National Pollutant Discharge Elimination System (NPDES) Permit #0023400

REFERRED TO THE MAYOR

E. Letters from Deloitte & Touche submitting:

—Financial Statements and Independent Auditors, Reports for the Board of Water & Light for years ended June 30, 1993 and 1992

—Financial Statements and Independent Auditors, Report for the Plan for Employees Pensions of the Board of Water & Light for the years ended June 30, 1993 and 1992

REFERRED TO THE COMMITTEE OF THE WHOLE

F. Letter from Mrs. Richard Halligan of 1635 Arbor Dr., Lake, MI requesting, a "13th Check" for retirees of the Police and Firemen's Retirement System

REFERRED TO THE MAYOR AND
THE POLICE & FIRE RETIREMENT BOARD

G. Letter from Beth Donaldson of 126 Horton regarding the Ethics Board Opinion on the Early Retirement Plan, and on the proposed Minor League Baseball project

RECEIVED AND PLACED ON FILE

H. Letter from Ingham County Park Trustees regarding the development of a Baseball Stadium on "Parcel D"

REFERRED TO THE BLUE RIBBON COMMITTEE
ON THE ACQUISITION OF A BASEBALL TEAM

I. Letter from the Arts Council Center of Greater Lansing regarding General Fund Mini Grants for Fiscal year 1994

REFERRED TO THE MAYOR

J. Resolution from the Ingham County Republican Party regarding the development and operation of a Minor League Baseball Team and Stadium

REFERRED TO THE BLUE RIBBON COMMITTEE
ON THE ACQUISITION OF A BASEBALL TEAM

K. Letter from Marjorie Butler, no address given, requesting that the City adopt a residency requirement for employees

RECEIVED AND PLACED ON FILE

L. Letter from Harold Leeman of 529 N. Francis requesting that Cable Channel 28 acquire and air a tape of the September 30, 1993 Ethics Board meeting

RECEIVED AND PLACED ON FILE

M. Petition signed by 34 residents and business owners in the area

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

of Grand River Ave. and Turner St. requesting that the City pave and light the City owned lot in the 1200 block of Turner Street

REFERRED TO THE MAYOR

N. Petition signed by 17 patrons of the CATA downtown park and shuttle service requesting that the service be continued through the winter

REFERRED TO THE MAYOR AND
THE COMMITTEE ON WAYS AND MEANS

MAYOR'S EXECUTIVE ASSISTANT'S COMMENTS

Mr. Boyd outlined Mayor Crawford's letters on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. **RESOLUTION #567** October 11, 1993
President Canady and Members of the Lansing City Council
10th Floor, City Hall
Lansing, MI 48933

Dear Councilmembers:

The attached applications for licenses have been routinely processed and are recommended for approval. They are ready for final action by City Council. They are as follows:

PUBLIC DRIVER: Leonard Skinner, Ken Averill, Lawrence D. Murphy

Sincerely,
Marilynn Slade, City Clerk
City of Lansing, MI

By Councilmember Ford

To accept the recommendations of the City Clerk

Carried unanimously

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of October 4, 1993 for Review

RECEIVED AND PLACED ON FILE

C. Letter from the City Clerk, Secretary of the Board of Ethics, submitting Board Opinion #20 regarding the Early Retirement Plan

REFERRED TO THE AD HOC COMMITTEE ON
ETHICS BOARD ADVISORY OPINION #20

D. Report from the Cable Advisory Board containing Recommendations on Cable Rate Regulations

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

E. Letter from Council President Canady Appointing Ad Hoc Committee Members to review the Ethics Board Advisory Opinion on the Early Retirement Plan and the Report from Special Member Dunnings

RECEIVED AND PLACED ON FILE

F. Letters from the Mayor re:

1/ Resignation of James Person from the Traffic Board

RECEIVED AND PLACED ON FILE

2/ Appointment of James Person to the Board of Police Commissioners

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

3/ Sole Source Purchases Third Quarter 1993

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

4/ Emergency Purchase Order—P.O. #56943

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

5/ Public Improvement I,

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

6/ CSO Tree Report

RECEIVED AND PLACED ON FILE

7/ Appointment of Anthony J. Garezynski to the Historic District Commission

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

8/ Appointment of Peter B. Holz to the Demolition Board

RECEIVED AND PLACED ON FILE

9/ Appointment of Paul M. Gilmore to the Mechanical Construction Examiners Board

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

COMMITTEE REPORTS

There were no Committee Reports

RESOLUTIONS

RESOLUTION #568
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

PUBLIC IMPROVEMENT V

RESOLVED, by the City Council of the City of Lansing:

That the supplementary Special Assessment Roll 324, Public Service #14132, BENTON BOULEVARD SANITARY SEWER PROJECT. Whereas it is a matter of public necessity to construct the following sanitary sewer improvements, in front of and adjacent to, the properties described below:

PROPERTY BENEFITTED: All lands fronting on BENTON BOULEVARD between DELTA RIVER DRIVE and WILSON AVENUE excepting all public streets and alleys and other land deemed not benefitted.

ROLL 324—SANITARY SEWER
ESTIMATED COST $18,127.76
ACTUAL COST $15,279.68
DIFFERENCE ..... ($2,848.08)

as returned by the City Assessor be and the same is hereby ratified and confirmed, and that the Mayor be and hereby is directed to affix within ten days, his warrant directing the City Treasurer to refund to all persons who have paid said tax as originally assessed the pro rata amount of difference as shown in said supplementary roll, and collect all unpaid tax as shown on said roll 90 days after approval.

By Councilmember Lilly

Carried unanimously

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

RESOLUTION #569
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the request for permission to work on Saturdays from Eastlund Concrete Construction, Inc., toward completion of the City 1993 Local Street Construction Contract, having been reviewed and approved by the interim director of the Public Service Department and the Mayor, is hereby approved.

October 11, 1993

By Councilmember Lilly

Carried unanimously

RESOLUTION #570
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 93-032, which authorizes the installation of a traffic signal at the intersection af Aurelius Road and Miller Road.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #571
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 93-033, which authorizes the installation of yield signs on Roseneath Avenue at the intersection of Greenwood Avenue.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #572
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 93-034, which authorizes the installation of yield signs on Durant Street at the intersection of Hyland Street.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #573
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 93-035, which authorizes the installation of new parking restrictions on Jerome Street between Holmes Street and Pennsylvania Avenue.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #574
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

Now, Therefore, Be It Resolved, the Lansing City Council hereby approves Traffic Control Order Number 93-054, which authorizes the installation of a stop sign on Ronald Street at the intersection of Anson Street.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #575
BY THE COMMITTEE ON WAYS AND MEANS

WHEREAS, the City has historically received funding for Emergency Services through the Federal Emergency Management Agency (FEMA); and

WHEREAS, the State Police, who serve as the state pass-through agent for such funds, have determined that a formal grant agreement is necessary for receipt of these funds; and

WHEREAS, the City expects to receive up to 12.5% of the Fire Chief's salary and fringe benefits for emergency preparedness activities, as indicated in the grant agreement; and

WHEREAS, the Mayor has recommended acceptance of this grant;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approve acceptance of the Federal Emergency Management Assistance Grant.

By Councilmember Benavides

Carried unanimously

RESOLUTION #576
BY THE COMMITTEE ON WAYS AND MEANS:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, State funds became available through the Ingham County Health Department for Worksite and Community Health Programs designed to reduce the incidence of premature death and disability due to behavioral risk factors among the workforce; and

WHEREAS, the Lansing Police Department, as the grantee, submitted an application for a Worksite Wellness Program Grant; and

WHEREAS, recently the City has been advised that a grant in the total amount of $3,330.00 (State share $2,970.00, local match—employer: $180.00, local match—employee: $180.00) has been approved; and

WHEREAS, these monies will be used to pay the Saint Lawrence Work and Health Institute which will be conducting individual fitness evaluations for a maximum of ninety (90) Police Department personnel through the Worksite Wellness Program; and

WHEREAS, the necessary matching funds for the grant have been reserved from the Police Administration Miscellaneous and Operating Expense account (101-343201-741000-0), with any/all offsetting employee donations for participation in this program to be credited directly to that account; and

WHEREAS, the Mayor has recommended acceptance of the grant;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approve acceptance of State Grant Funds in the amount of

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

$2,970.00 for implementation of the Worksite Wellness Program.

By Councilmember Benavides

Carried unanimously

RESOLUTION #
BY COUNCILMEMBER BEAL

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Board of Ethics, conducted an extensive investigation into the passage and subsequent events surrounding Resolution 201, of 1992 which established an early retirement plan; and

WHEREAS, as a result of their findings, the Board of Ethics issued the following recommendations, among others:

1. That the City Council engage special legal counsel to determine whether early retirement benefits are being legally paid to elected officials and executive employees.

2. That the City Council engage special legal counsel to advise the Board whether it may legally recommend prosecution of the above cited violations and what the required procedure is to do so.

3. That in the event special legal counsel determines the Board may legally make such recommendations, to authorize special legal counsel to prosecute the violations noted, pursuant the Code of Ordinances 290.03 (a), as may be recommended by the Board and to take such other legal action as is required.

4. That prior to the ratification of any early retirement payments to any policy level officer or employee, the City Council determine by investigation and competent legal opinion whether each such officer or employee is barred by law from receiving such benefits.

AND, WHEREAS it is in the public interest that the Council act swiftly and without the appearance of impropriety or bias,

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council contact the Michigan Municipal League Ethics Committee to seek a recommendation of at least three attorneys who have expertise in municipal and ethics law for the purpose of retaining special legal counsel to render a legal opinion regarding the apparent Charter and ordinance violations set forth in the Board of Ethics Advisory Opinion #20; and

BE IT FINALLY RESOLVED that the Council obligate the necessary funds to retain special counsel from the City Council Professional Services Account (101-1121101-743000-0) designated for this purpose.

October 11, 1993

By Councilmember Beal

To place an affirmative roll call vote on the resolution

Considerable debate followed Councilmember Beal's motion

By Councilmember Lilly

To call the question to a vote

Carried unanimously

Councilmember Beal's motion for affirmative roll failed by the following vote:

YEAS: Councilmembers Beal, Ford, Lilly

NAYS: Councilmembers Belen, Benavides, Brockwell, Canady, Schnmidt

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There are no Ordinances for Passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Beal; a resolution requesting a recommendation from the Michigan Municipal League Ethics Committee regarding Ethics Board Opinion #20

THE PASSAGE OF THIS RESOLUTION WAS DEFEATED BY A 5/3 VOTE, THE RESOLUTION WAS SUBSEQUENTLY REFERRED TO THE AD HOC COMMITTEE ON BOARD OF ETHICS OPINION 20 AT THE REQUEST OF COUNCILMEMBER BENAVIDES

2/ From Councilmember Ford; a minority report from a member of the Cable Advisory Board regarding Certification for the City of Lansing to Regulate Cable Rates

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

TABLED ITEMS

RESOLUTION #577 A & B FY 1993
By the Committee on Ways and Means

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING
Annotated

That the following transfers be approved:

$100,000 from Fund Bal.-Act 51 Maj. St. A/C 202-0-39001-0
$100,000to Act 51 Maj. St. Ctrl. Acct.
A/C 202-453634-992200-0
(Memo A/c 202-453535-991203-0 Operating Transfer Local Streets. Maximum transfer permitted by statute for supplementing local street funding availability.)

$17,000 from Fund Bal.-Act 5l Local St.
A/C 203-0-39001-0
$17,000 to Act 51 Local St. Ctrl. Acct.
A/C 203-453634-992200-0
(Memo A/C 203-453632-745200-0 Winter Maintenance—Equipment Rental. Higher than anticipated snowfall in winter 1992-93 resulted in overexpenditure.)

Submitted by:
Cleophus Boyd, Mayor's Executive Ass't.

October 4, 1993

By Councilmember Benavides

To table the resolution for one week

Carried unanimously

October 11, 1993

By Councilmember Benavides

To excuse Councilmember Ford from the vote on this item because he is an MDOT employee and to excuse Councilmember Lilly from the vote on this item because he worked on the legislative approval of this project

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Carried unanimously

By Councilmember Benavides

To approve the $100,000 transfer to Act 51 Major Streets Control Account

Carried unanimously, Councilmembers Ford and Lilly abstaining

By Councilmember Benavides

To approve the $17,000 transfer to Act 51 Major Streets Control Account

Carried unanimously, Councilmembers Ford and Lilly abstaining

MAYOR'S EXECUTIVE ASSISTANT'S COMMENTS

Mr. Boyd announced that this weekend is the "Up With Nature Apple Butter Festival" to be held at Fenner Arboretum. A backyard composting seminar will also be held. Anyone interested in more information about composting may call 483-4400. The Michigan Department of Transportation and the City of Lansing Transportation Department will hold a joint meeting regarding the Seymour traffic situation on Tuesday at 5:30 P.M. in the 10th Floor Council Conference Room.

COUNCILMEMBER'S COMMENTS

Councilmember Ford announced that the second phase of the Revocation Hearing on NEO's Cabaret License will be held this Wednesday at 3:30 in the 10th Floor Conference Room. He hopes this matter will be concluded this week.

Councilmember Beal stated that she has never expressed any interest to anyone in running for the House of Representatives. She objects to being disqualified from the Ad Hoc Committee on Board of Ethics Opinion #20 because of an assumption that she planned to run. She does support Hollister's campaign, however, there are some things she will not do to get him elected. She supports him because he is the best man for the job. Given her denial of intent to run for the House of Representatives, Council President Canady apologized for saying that she was.

Councilmember Schmidt encouraged all of her colleagues to attend the conference regarding revenue sharing this Wednesday evening. They are meeting at the Civic Arena and will move on to the Capitol. The city stands to loose a lot if they do not return revenue sharing. The potential loss is in the area of $6,000,000. She asked the administration to look at the area of Cavanaugh and Dunckel Roads. She has had reports of traffic building up at that intersection because there is no left turn lane. Please report back to the Public Safety Committee.

Councilmember Belen asked the City Attorney if we are in court now on the Early Retirement Incentive because it was adopted by resolution rather than by ordinance? The City Attorney replied in the affirmative.

Councilmember Lilly congratulated Michigan State University on their outstanding, stupendous win over the University of Michigan at last Saturday's football game. This was truly a well played game and Michigan State deserved to win.

Councilmember Brockwell said he enjoyed his vacation in Baraga County. He saw a Bald Eagle on his trip.

PUBLIC COMMENTS

William Bernstein of 420 Baker spoke regarding his trial for disturbing a public assembly.

Lee Shunk, Jr. of 601 Leslie St. said that every week, Monday through Friday, buses and delivery vehicles cause traffic problems in the downtown area.

Helen Bailey of 1622 Cooper said that Council should consider every recommendation contained in the Board of Ethics Opinion #20 and either vote it up, or, down.

Lewis Pothoff of 1712 W. Miller Rd. said there are 135 seats in the room for the public. If they do not attend, it is because they are scared of Councilmember Belen. He repeated his request that the edges of the steps in front of City Hall be painted yellow so they can be seen. The potential for injury loss is greater that the cost of painting the steps.

Douglas Fairbanks of 525 E. Mt. Hope complimented Councilmember Belen.

Gladys Gillison read portions of an unpublished letter to the editor that she wrote regarding the problems the South Central Neighborhood Organization had in their dealings with South Baptist Church. Councilmember Lilly, she said, does not deserve any of the credit for the resolution of this issue.

Donna Collins of 225 Moores River Dr. announced a 'Fall Colors Celebration' at Moores Park hosted by the Friends of Moores Park this Sunday, October 17, 1993. They will have entertainment and refreshments. There will also be a composting demonstration.

Therese Porn, Chairwoman of the Cable Advisory Board, thanked the members of her board for the many hours of research and education that went into their recommendation. They did officially accept the minority opinion that was submitted under suspension of the rules tonight and have no objection to its' being considered. She thanked Ron Onufer and City Attorney Al Knot for their help. Any complaints about Channel 12 not being rebroadcast should be directed to either Continental Cable, or, to WJRT-TV in Flint. Councilmember Ford informed Ms. Porn that the Committee on General Services will try to make this the first issue they take up on Wednesday.

Russell Greear of 3801 Walton Dr. said that the city is in violation of the ADA because they have refused to paint the edges of the steps in front of City Hall. He declared that he has proof that he is back from Denver.

Ken Vaughan of 114 Garden St. complimented Councilmember Beal for doing a good job tonight. He stated that his research staff has found a ruling that says the abuse of public trust is a crime.

Paul Scott of 412 W. Kilborn asked that the Blue Ribbon Committee on the Acquisition of a Baseball Team look at Federal Forms 990 and 65 filed by the DLA Fiduciary Trust II, and that they check the business law of the State of Michigan to see if the trust would have to register and be regulated by Michigan law in order to do business in this state. He wants to know what other sports teams they have invested in. He warned Council that Comerica Bank's loan rating has dropped. He feels there is a conflict with Ron Onufer, Executive Director of Channel 28, running for the School Board and having their 'Meet the Candidates' Night televised on Channel 28.

Sue Eby of 801 Durant informed the audience that she is running for the office of Lansing City Clerk. She believes that the City Clerk could take a more active role in resolving the issues surrounding

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

the Early Retirement lawsuit and in implementing the recommendations of the Ethics Board. The City Clerk, she said, should be gathering the missing documents and making sure they are on file in her office. The City Clerk's Office should be open from 7:00 A.M. to 7:00 P.M. on Monday and Thursday in order to make it more accessible to the public. The fact that the Clerk's Office only prepares one notebook containing the Council packet is inexcusable. The public has to wait in line for an opportunity to view the Council packet.

Gerald Huckaba of 5410 S. Waverly announced that he will run a write-in campaign for the Mayoral election on the November 2, 1993 ballot. No one is addressing the needs of the working people and the 'have not' people. Someone has to do something for them.

Tim Lewis 500 S. Pine said that Al Swain, Coordinator of the Center for Handicapped Affairs could be of help in the construction of a baseball stadium. He thanked Councilmember Beal and City Clerk Marilynn Slade for trying to address the needs of the citizens of this city.

Harold Leeman of 529 N. Francis repeated his request for an accounting of the fees paid to outside legal counsel for the defense of the early retirement lawsuit. The Stuart Dunnings report has no standing. The committee should make sure they focus only on Opinion #20 adopted by a 4/1 vote of the Ethics Board.

Dale Johnson of 1015 N. Washington said that he is concerned about the crime and drugs in the city. The police are making arrests in these cases, but the system breaks down in the judicial process. These drug related crimes are coming from Detroit and we do not want these people in our city. We need some type of reform on a judicial level and a commitment from the judges to support an anti-drug movement. David Hollister is the wrong person to lead Lansing. He voted against the 'no knock law' and for the legalization of pornography.

Lloyd Teets of 116 E. Elm said that the bottom line in the early retirement scandal is that the government bought the mayor and the city clerk. Council either did this deliberately, or, out of stupidity.

ADJOURNED 11:20 P.M.
MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, October 18, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
October 18, 1993

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by Vice-President Brockwell

PRESENT: Beal, Belen, Benavides, Brockwell, Ford, Lilly, Schmidt

ABSENT: Council President Canady; Councilmember Belen was excused from the meeting by Vice-President Brockwell at 9:40 P.M.

The Invocation and Pledge of Allegiance were led by Councilmember Benavides

MINUTES

By Councilmember Schmidt

To approve the Printed Council Proceedings of September 7, 13, 20, and 27, 1993

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Belen

To accept the following under suspension of the rules:

1/ From Councilmember Belen; a letter from the Director of Economic Development Corporation recommending the transfer of Commercial Facilities Exemption Certificate #84-009 to Community First Bank

2/ From Councilmember Schmidt; a resolution of Tribute to Robert Rutledge

3/ From Councilmember Lilly; a request that the rules be suspended to allow for the presentation of materials contained in the report of the Ad Hoc Committee on Tree Preservation

SPECIAL CEREMONIES

A. Ron Callen, Chairman of the Ad Hoc Committee on Tree Preservation, along with Mary Margaret Murphy-Woll, President of the Eastside Neighborhood Organization and Barry Crown presented their Report to City Council. They thanked City Council and the Administration for their commitment to saving the trees in the city. They said a special thanks to Bob Clegg, Interim Director of the Public Service Department, his Office Manager Margaret Pollard, and City Forester Paul Dykema.

Councilmember Lilly said that the Physical Development Committee will deal with their recommendations in terms of any ordinance amendments that may need to be made, however, he would like to have this referred to the Committee on Ways and Means so that they can deal with the issue of having funds available to provide the necessary forestry division personnel.

Councilmember Belen thanked this committee for the work they did. This is a great service to the City. This city is fortunate to have citizens like these, that will work so hard on its' behalf.

Councilmember Schmidt said that she was very impressed with their report, the research that went into it, and the documentation of their recommendations.

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PHYSICAL DEVELOPMENT AND
THE COMMITTEE ON WAYS AND MEANS

B. Joseph Pandy, Executive Director of the Board of Water & Light presented an informational packet and invited everyone to join the Inaugural Walk and Dedication Ceremonies of 'Planet Walk' an exact scale model of the solar system constructed along the Lansing River Trail. This project is the result of a coalition between the Board of Water & Light, Impressions Five Museum, Lansing Community College, Lansing Parks Commission and Pace Creative Inc. Councilmember Lilly presented a Resolution of Tribute to Mr. Pandy for the Coalition's work on the Planet Walk.

SCHEDULED PUBLIC HEARINGS

A. In consideration of the Transfer of a Commercial Facilities Exemption Certificate (#84-009) from Altman Brothers Company to Community First Bank

Councilmember Belen said that she hopes this transfer will be approved.

There were no other speakers for this Public Hearing

REFERRED TO THE COMMITTEE ON
ECONOMIC DEVELOPMENT

B. In consideration of SLU-10-93, 501 W. Saginaw St.—612 & 616 N. Pine, Special Land Use request to allow for operation of a Child Care Facility filed by Trinity Lutheran Church

Craig Hahn of 2827 Arlington Rd. spoke in support of his Church's requests for Rezoning and Special Land Use.

Douglas Fairbanks of 525 E. Mt. Hope said he supports this church in their request. More churches should follow suit, he said.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

C. In consideration of Z-07-93, 913-915-917, & 921 W. Allegan, request to rezone from "C" Residential District to "D-1" Professional Office District

Harold Leeman of 529 N. Francis asked what these homes will be used for after they are rezoned and if they are currently occupied for residential use.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

D. In Consideration of Z-08-93, 927, 1001 & 1007 W. Allegan, request to rezone from "C" Residential District to "D-1" Professional Office District

There were no speakers for this Public Hearing

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

PUBLIC COMMENT

Douglas Fairbanks of 525 E. Mt. Hope said the 20 day orders to make-safe or otherwise demolish is long enough to give these property owners.

Russell Terry of 121 E. Mt. Hope said there was personal gain on the part of Councilmembers when they passed the Early Retirement Incentive. Mr. Dunnings and Council President Canady, he said, have a few bolts loose.

Richard Baker of 1625 W. Kalamazoo, President of the West Side Neighborhood Association, said that the Ad Hoc Committee on Tree Preservation identified three outlying areas of concern not directly associated with the cutting down of trees. Councilmember Ford moved to allow Mr. Baker to continue with his remarks associated with the Special Ceremony held earlier. Motion carried unanimously, Mr. Baker continued: The first problem is with dust in areas neighboring construction as well as in the construction area. The second is that streets are being torn up prior to CSO construction and left that way for several weeks at a time until construction actually starts. The third is that money was wasted by filling in and paving of pot holes and other street patching activities that had to be torn right back up to allow for construction of the CSO project. With a little more coordination, this needless loss of money would not have happened.

Alma Miateck of 1434 Pontiac offered to distribute pictures of the property she owns that is involved in the demolition process. They have replaced the water heater, furnace, and electrical system in this property. They took out a building permit and have spent a lot of time and money on the reconstruction of this property. She asked Council not to demolish her house. Councilmember Ford asked her when work was last done on this property. Ms. Miateck said that work has been ongoing. Councilmember Ford asked when her last contact with the Building Department was. Ms. Miateck said she talked to Mr. Hernandez last Friday and is attempting to confirm what he told her.

James Ward of 1434 Pontiac asked what the definition of "make-safe" is. He spoke to Mr. Hernandez today and he seemed more concerned about the money for the building permits than about the condition of the house. Councilmember Brockwell said that no permits have been pulled to do the mechanical work necessary to bring this house up to code. All they want them to do is follow the code, pull the permits and make the property safe. Councilmember Ford requested that this property be separated from the others when we get to action items and that it be held over in committee for one more week.

Russell Greear of 3801 Walton Dr. accused Council of being more concerned with saving trees than saving homes for people to live in. These homes could be used for the homeless to live in. They should have a moratorium on the demolition of these homes. "They should go up here and give these houses to the homeless. They ought to go up here and think about human life first and abide by the 4th amendment to the constitution."

Lloyd Teets of 116 E. Elm said he is sympathetic to the plight of Alma Miateck. The Building Department uses threats and coercion to make people do what they want them to do. The city does need a moratorium on the demolition of homes. The resolution on Ethics Board Opinion #20 is full of snake oil. He does not believe that the Ingham County Prosecuting Attorney has the authority to prosecute violations of the Code of Ordinances of the City of Lansing. Council should do what the Ethics Board asks and turn this over to someone with the power to prosecute the ordinance violations. How much will the filing of the Amicus Brief in support of the Board of Water & Light cost the City? This involves the Midland Nuclear Power Plant issue and the City should not be spending any money on this at all.

John Mertz of 330 N. Clemens, Chairperson of the Board of Ethics said that the Board has concerns they would like to see addressed. They want to make sure that Council chooses a good attorney to address recommendations #1 and #5 in Opinion #20, and they are concerned that the Ingham County Prosecuting Attorney, Donald Martin does not have the authority to prosecute violations of the Code of Ordinances of the City of Lansing. Council must clean this resolution up to ask the Prosecutor to determine whether or not prosecution should take place.

Ken Vaughan of 114 Garden St. said that the early retirement lawsuit was conducted completely between the Judge and attorneys. There were no witnesses called. Now there are three or four people out there collecting a lot of money that should be in jail. If anyone on Council had any knowledge of the Charter, they would not have passed Resolution #201.

Lynne Martinez of 117½ W. Hillsdale agreed that the County Prosecutor has no authority to determine anything about prosecution of City Ordinances. Council must be clear about what they are doing to make sure they empower the prosecutor to do something with regard to prosecution of violations of the City Charter and Code of Ordinances.

Alexander Bolt of 1230 Reo Rd. told Councilmembers that their house of cards is falling, it is time for them to do what is right and let justice follow its' natural course. They must empower the prosecutor to fulfill the recommendations of Opinion #20.

Harold Leeman of 529 N. Francis asked that Council direct the City Clerk to read the Committee Reports regarding the status of Downtown Lansing as an Historic District and the paving of the City owned lot in the 1200 Block of Turner St. aloud. He said the resolution adopting the recommendations of the Cable Advisory Board should contain a time table as to when the internal auditor will report back to Council. They should make the changes to the resolution requested by John Mertz and start treating him with more friendliness. They should have him sign off on handling of recommendations contained in Opinion #20 and go on record as stating that they are adopting recommendation #6 in its' entirety.

Jon Addis of 1607 S. Cedar thanked Councilmember Ford for insisting that these recommendations be brought before Council tonight. His was the lone vote that gave the committee the impetus to submit this resolution tonight. The people of the city thank him for cleaning the resolution up and making sure that those responsible for early retirement will be prosecuted. He can now leave his office in January with his head held high. Councilmember Belen, he said, served this city well until this issue came up. She should have declared her conflict of interest as should Councilmembers Schmidt and Benavides have done. The entire issue should have been cleaned up last winter, instead, they spent $125,000 defending it. He has collected 13,000 petition signatures from registered voters who want Councilmembers Benavides,

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Brockwell, and Canady removed from office. Councilmember Ford denied Mr. Addis's statement that his was the lone vote in favor of reporting this resolution out of Committee. The entire Ad Hoc Committee voted for a quick resolution of this matter. There was not a dissenting vote on this item at all.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as read in full and that the proper referrals be made by Vice-President Brockwell

Carried unanimously

A. Letter from Arthur DeLau, President Lansing Retired Policemen & Firemen's Association and petition signed by 178 supporters requesting a raise in the minimum retirement benefits paid to retired Firemen and Policemen and/or their surviving spouse, and requesting a 13th check for all retirees

REFERRED TO THE MAYOR AND
THE POLICEMEN'S & FIREMEN'S RETIREMENT BOARD

B. Claim of Swift Transportation Co., Inc. of 5601 W. Mohave, Phoenix, AZ

REFERRED TO THE CITY ATTORNEY

C. Notice from Continental Cablevision that they ceased carriage of WOOD Channel 8, WWMT Channel 3, and WJRT Channel 12 as of October 6, 1993

RECEIVED AND PLACED ON FILE

D. SLU-12-93, 916 E. Mt. Hope, Special Land Use Request to allow for the operation of a 2-4 Chair Beauty Salon

REFERRED TO THE MAYOR AND THE PLANNING BOARD

E. Letter from WJIM 97.5 FM regarding a change in their ownership and venue

RECEIVED AND PLACED ON FILE

F. Letter from Michael Godfrey of 112 Isbell St. regarding problems he is having with the Building Department tagging his house

REFERRED TO THE MAYOR

G. Letter from Richard J. Baker, President of the West Side Neighborhood Association, endorsing the findings of the Ad Hoc Committee on Save the Trees and thanking Council and the Mayor for their cooperation on this project

REFERRED TO THE MAYOR AND
THE COMMITTEE ON PHYSICAL DEVELOPMENT

H. Letter from Franklin Street Community Housing Cooperative withdrawing their participation in the relocation and rehabilitation of the two homes involved in the Emanuel Lutheran Church expansion

REFERRED TO THE MAYOR

MAYOR'S COMMENT

Mayor Crawford outlined his letters on tonight's agenda and asked that Council direct the City Clerk to read the letter of thanks to Robert Clegg from Brian Ness of the Michigan Department of Transportation into the record.

CITY OFFICER AND BOARD REPORTS

A. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of October 11, 1993 for Review

RECEIVED AND PLACED ON FILE

B. Letters from the Mayor re:

1/ Letter of appreciation from Brian Ness of the Michigan Department of Transportation to Robert Clegg, Interim Director of the Public Service Department

RECEIVED AND PLACED ON FILE

At the request of Mayor Crawford this letter was read into the record as follows:

Mr. Robert Clegg, City Engineer
City of Lansing
732 City Hall
Lansing, Michigan 48933

Dear Mr. Clegg:

During my past two years as the Operations/Maintenance Engineer with the Department's Jackson district office, we collaborated with the city of Lansing on several maintenance projects which proved to be a benefit to the motoring public. These projects would never have been completed without the cooperation of you and your staff. In most cases, these projects had to be completed within strict time restraints. During our dealings, I was always impressed by the highly professional and technical manner in which you and your staff conducted themselves.

I would like to take this opportunity to personally thank you for your assistance and cooperation. Although I will be leaving the Jackson District, I hope in the future I have the opportunity to work with you again.

Sincerely,
Brian W. Ness

2/ Resignation of Mary K. Derby from the Citizen's Advisory Committee for Recycling

RECEIVED AND PLACED ON FILE

3/ Parking Regulation Change: Lincoln Ave.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

4/ Vernon Ave. Traffic Study

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

5/ Traffic Control Request: Hyland St. & Verlinden Ave.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

6/ Parking Regulation Change: Sunset Ave.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

7/ Foster Ave. Area Traffic Study

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

8/ Appointment of Mark Howe to the Traffic Board

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

COMMITTEE REPORTS

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

RESOLUTION #578
REPORT OF COMMITTEE

THE COMMITTEE ON PUBLIC SERVICES, to whom was referred several questions about the historic district status of buildings in such as Jim's Tiffany Place in downtown Lansing,

REPORTS AS FOLLOWS: The Committee received a full briefing from Sid Worthington, interim director of the Planning and Neighborhood Development Department, and Donna Wynant, staff planner and liaison to the Historic District Commission. While the building housing Jim's Tiffany Place is historic in nature, it has never been entered on any registry of histric structures, and therefore is not subject to restrictions on alterations or demolition. Regardless of the Committee's support for preservation of this structure, only the owner can apply to have it listed on the national or state registry of historic places, and the owner has stated publicly that the structure will come down to make way for redevelopment. Cherry Hill is the only recognized City historic district in the downtown area. This report is for information only, and no Council action is required.

Signed: Robert Brockwell
Tony Benavides
Ellen M. Beal

BY COUNCILMEMBER BROCKWELL:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #579
REPORT OF COMMITTEE

THE COMMITTEE ON PUBLIC SERVICES, to whom was referred the letter from the president of the North Lansing Community Association requesting that the vacant lot purchased by the City in the 1200 block of Turner Street be paved and lighted as a parking lot,

REPORTS AS FOLLOWS: The Committee received a report from Development Manager Emil Winnicker describing the subject lot and noting that it was purchased to stop its blighting influence on the neighborhood. Since it is an interior lot with access via two narrow alleys and bounded on the east by railroad tracks, the lot is not suitable for use as a public parking lot. The Planning and Neighborhood Development Department is expected to assign a future land use as a private parking lot for employees of area businesses when a revision to the area's Comprehensive Plan is undertaken. A letter will be sent to the NLCA president explaining the situation and the several reasons why her request cannot be accommodated. This report is for information only, and no Council action is required.

Signed: Robert Brockwell
Tony Benavides
Ellen M. Beal

BY COUNCILMEMBER BROCKWELL:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTIONS

RESOLUTION #580
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Ms. Joanne M. Pohl was recommended by the Mayor for appointment to the City of Lansing Human Relations Board; and

WHEREAS, Ms. Pohl was interviewed by the General Services Committee on Monday, October 11, 1993; and

WHEREAS, the Committee voted to concur in the appointment of Ms. Pohl as recommended by the Mayor;

NOW, THEREFORE, BE IT RESOLVED, the appointment of Ms. Joanne Pohl to the Human Relations Board is hereby confirmed, for a term to expire in June of 1996.

October 18, 1993

By Councilmember Ford

Carried unanimously

RESOLUTION #581
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Cable Television Consumer Protection and Competition Act of 1992 gave cable franchising authorities the option to regulate the rates for basic cable service and related equipment in their communities; and

WHEREAS, in order to regulate the rates for basic service and related equipment charged by Continental Cablevision, the City of Lansing would first have to file FCC Form 328, Certification of Franchising Authority to Regulate Basic Cable Service Rates and Initial Finding of Lack of Effective Competition; and

WHEREAS, the question of whether or not to regulate Continental's rates was referred to the Cable Advisory Board for an advisory recommendation; and

WHEREAS, the Board conducted a special meeting to receive information from Continental Cablevision on how the new rate structure was calculated in compliance with the 1992 Federal law and with 1993 FCC instructions; and

WHEREAS, Continental's 'benchmark' rate for cable service in Lansing has been set at 59.6 cents per channel per month, which is a common figure for all tiers of service; and

WHEREAS, the Board also heard testimony from two citizens and received communications from three other citizens, all of whom advocated cable rate regulation by the City; and

WHEREAS, after considering several options, the Baord recommended no action on city regulation of basic cable rates, pending results of a City authorized independent audit of Continental's benchmark rate calculations; and

WHEREAS, the Committee on General Services has reviewed this recommendation with the Chair of the Cable Advisory Board, and concurs therewith;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby adopts the October 7, 1993, recommendation of the Cable Advisory Board; and

BE IT FURTHER RESOLVED the Council Staff is hereby authorized to work with the City Administration to engage the services of a qualified expert to conduct an independent audit of Continental Cablevision's benchmark rate calculation for the Lansing cable

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

system, with costs to be charged to the City Council's account for professional services (101-112101-743000-0); and

BE IT FURTHER RESOLVED the management of Continental Cablevision is requested to cooperate fully with the City's auditor; and

BE IT FURTHER RESOLVED the auditor shall be required to brief the City Council on the results of the audit as part of the scope of services of the professional services contract; and

BE IT FINALLY RESOLVED the City Council shall defer its decision on whether or not to regulate Continental Cablevision's rates until the audit report is received.

By Councilmember Ford

Carried unanimously

RESOLUTION #582
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

NOW, THEREFORE, BE IT RESOLVED that the Mayor's appointment of Paul M. Gilmore to the Mechanical Construction Examiners Board for a term to expire June, 1997, is hereby confirmed.

October 18, 1993

By Councilmember Benavides

Carried unanimously

RESOLUTION #583
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 435 North Butler Boulevard, legally described as:

N 33 FT OF E 59 FT LOT 1 DODGE AND DANIELS SUB W OF BUTLER REC L 55 P 553

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on July 22, 1993, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on October 11, 1993, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution, October 18, 1993; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Benavides

Carried unanimously

RESOLUTION #584
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 526-528 West Genesee, legally described as

W 51 FT LOT 7 BLOCK 73 ORIG PLAT

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on July 22, 1993, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on October 11, 1993, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution, October 18, 1993; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers order for demolition or other wise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Benavides

Carried unanimously

RESOLUTION #585
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 524 West Genesee, legally described as:

E 33 FT OF W 84 FT LOT 7 BLOCK 73 ORIG PLAT

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on July 22, 1993, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on October 11, 1993, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution, October 18, 1993; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Benavides

Carried unanimously

RESOLUTION #586
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 528 Seymour, legally described as:

N 42 FT OF W 7 1/2 R LOT 11 BLOCK 70 ORIG PLAT

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on July 22, 1993, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on October 11, 1993, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution, October 18, 1993; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Benavides

Carried unanimously

RESOLUTION #587
BY THE COMMITTEE ON PUBLIC SERVICES

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 425 North Pennsylvania, legally described as:

LOT 17 BLOCK 2 ASSESSOR'S PLAT NO 7

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on July 22, 1993, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on October 11, 1993, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution, October 18, 1993; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Benavides

Carried unanimously

RESOLUTION #588
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 1008 W. Ottawa, legally described as:

W 3 ¾ R OF E 7 ¾ R LOT 3 BLOCK 8 CLAYPOOL SUB

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on July 22, 1993, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on October 11, 1993, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution, October 18, 1993; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Benavides

Carried unanimously

RESOLUTION #589
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 2418 1/2 Forest Avenue, legally described as:

LOT 50 & COM SW COR LOT 50, TH W LY ON PROJECTION OF S LINE SAID LOT 25 FT, N 86.23 FT, E LY ON PROJECTION OF N LINE SAID LOT 25 FT TO NW COR LOT 49, S 86 FT TO BEG; CEDARHURST SUB

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on June 24, 1993, at which the Hearing Officers determined that said building

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on October 11, 1993, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution, October 18, 1993; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Benavides

Carried unanimously

RESOLUTION #590
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 408 North Butler, legally described as:

N 24 FT OF S 132 FT OF W 48 ⅛ FT LOT 3 BLOCK 2 CLAYPOOL SUB

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on June 24, 1993, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on October 11, 1993, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution, October 18, 1993; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Benavides

Carried unanimously

RESOLUTION #591
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Director of the Building Safety Division of the Planning and Municipal Development Department determined that the building located at 1707 Turner, legally described as:

S 21 FT OF E 77 FT LOT 2 BLOCK 4 TURNER & SMITH'S SUB.

was an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on June 24, 1993, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, said Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a hearing on October 11, 1993, to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within twenty (20) days from the date of this resolution, October 18, 1993; and

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FURTHER RESOLVED that the cost of such demolition shall be a lien against the real property and shall be reported to the City Assessor who shall assess the same against the property upon which the building is presently located; and

BE IT FINALLY RESOLVED that the owner in whose name the property appears upon the last local tax assessment record shall be notified of the amount of such cost by first class mail at the address shown on the records. Upon his failure to pay the same within thirty (30) days after mailing by the City Assessor of the notice of the amount thereof, the Assessor shall add the same to the next tax roll of the City of Lansing and the same shall be collected in the same manner in all respects as provided by law for the collection of taxes in the City of Lansing.

By Councilmember Benavides

Carried unanimously

At the Request of Councilmember Benavides, Item #XII B-2.(j), order for Make Safe or Demolish on property at 1424 Pontiac, was pulled from the agenda and returned to the Committee on Public Services for one week.

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Ad Hoc Committee to Review Board of Ethics Opinion #20 has made several recommendations on immediate steps to be taken on recommendations made in Opinion #20; and

WHEREAS, the Committee of the Whole has reviewed the Ad Hoc Committee's strategies for short-term and long-term actions;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby authorizes the Ad Hoc Committee to retain special counsel to advise on Board of Ethics Recommendations #1 and #5; and

BE IT FURTHER RESOLVED the Ad Hoc Committee is directed to transmit Board of Ethics Recommendations #2 and #3 to the Ingham County Prosecuting Attorney for action, along with any background materials the prosecutor may require; and

BE IT FURTHER RESOLVED the Council hereby adopts as standing City policy Board of Ethics Recommendation #4, which states, 'That the Mayor and City Council take immediate steps to insure that all current City records are on file with the City Clerk as required by the Charter and state law, and that future records are filed with the City Clerk as required by the Charter and state law.'; and

BE IT FURTHER RESOLVED the Council hereby adopts as standing City policy that portion of Board of Ethics Recommendation #6 which, effective immediately, will require the City Attorney to review all ordinances and resolutions (except ceremonial resolutions) prior to introduction for consideration by City Council.

October 18, 1993

By Councilmember Belen

To accept a 'friendly amendment', proposed by Councilmember Beal, to add the specific language of recommendations #1 and #5 contained in Board of Ethics Opinion #20, in order to be consistent with the remainder of the resolution

By Councilmember Beal

To amend the resolution in the fourth paragraph following the words "may require" by adding:

"AND REQUEST THAT THE PROSECUTOR SERVE AS SPECIAL COUNSEL TO ADVISE THE BOARD OF ETHICS PURSUANT TO RECOMMENDATIONS 2 & 3; AND

and to add an additional paragraph following the above language to state:

BE IT FURTHER RESOLVED THAT THE LANSING CITY COUNCIL AUTHORIZES THE COUNTY PROSECUTOR TO SERVE AS SPECIAL PROSECUTOR TO PROSECUTE ANY VIOLATION OF THE CITY CHARTER OR THE CODE OF ORDINANCES, SHOULD SUCH ACTION BE DETERMINED TO BE WARRANTED; AND"

By Councilmember Beal

To table the resolution until later in the evening to allow staff to prepare her amendments in written form and insert them into the resolution so that the resolution with amendments can be read as a whole

Carried unanimously

RESOLUTION #592

BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, on Tuesday, October 19, 1993, a coalition of Lansing area organizations, led by the Board of Water and Light, will unveil a unique version of a walk through space that never leaves the ground; and

WHEREAS, the Lansing Planet Walk is an exact scale model of the entire Solar System constructed along the River Trail under the co sponsorship of the Parks and Recreation Department, the BWL, Lansing Community College, the Impression 5 Science Museum, and Pace Creative Inc., a marketing communications firm whose president brought the Planet Walk idea to the other sponsors; and

WHEREAS, following a 10 AM dedication ceremony Tuesday, area students, community leaders and friends of science and education will participate in the inaugural Planet Walk, led by Colonel Jack Lousma, Skylab and Space Shuttle Columbia astronaut; and

WHEREAS, Planet Walk is an innovative tourist attraction anchored at one end by the Impression 5 Science Museum and at the other end by the Potter Park Zoo, and the model can be walked by children and adults in about 45 minutes;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 18th day of October, 1993, hereby applauds Dennis Pace and the staff at Pace Creative Inc., the Parks and Recreation Department, the Board of Water and Light, Impression 5, and Lansing Community College for their collaboration in a public/private partnership that has given Planet Walk to the People of Lansing.

By Councilmember Belen

Carried unanimously

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

RESOLUTION #593
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Board of Water and Light and Michigan Attorney General Frank Kelley have filed a petition for certiorari with the U. S. Supreme Court asking the Court to consider and reverse certain lower court and agency decisions; and

WHEREAS, such lower court and agency decisions relate to the unregulated status of the Midland Cogeneration Venture (MCV) and its ability to charge unduly high rates for the electricity it sells; and

WHEREAS, unless such decisions are reversed they will increase the amounts customers of the Board and Consumers Power pay for electricity and harm the City, its residents and the state as a whole; and

WHEREAS, it is desireable to have the Michigan Municipal League and other bodies file briefs with the U. S. Supreme Court supporting the Board and the Attorney General; and

WHEREAS, the Board has requested a City Council resolution of support for the Michigan Municipal League to file an amicus brief;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby authorizes the Mayor to request assistance from the Michigan Municipal League in the form of an amicus brief in support of the Board of Water and Light, together with such other actions in support thereof as may be appropriate.

October 18, 1993

By Councilmember Benavides

Carried unanimously

RESOLUTION #594
PUBLIC IMPROVEMENT I

By the Committee of the Whole

RESOLVED, by the Mayor and City Council of the City of Lansing that it is hereby determined to be of a public necessity to construct curb & gutter and necessary storm drainage in Alfred Avenue from Wilson Avenue to North Grand River Avenue

AND FURTHER, that the cost of these improvements shall be financed by special assessment to the benefitted property owners, and the City's share from account #101-933690-973101-13077.

BE IT FURTHER RESOLVED, that the Department of Public Service is hereby authorized to prepare necessary plans and specifications for these improvements, and to establish in detail the cost of said project and to furnish said information to the Mayor and City Council.

By Councilmember Lilly

Carried unanimously

RESOLUTION #595
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Reverend Charles S. Tolbert was ordained as a Baptist minister on October 24, 1951, at the Union Missionary Baptist Church, where he and his wife Daisy had been active lay leaders of the congregation; and

WHEREAS, in March 1959, Rev. Tolbert was elected Pastor of Galilee Missionary Baptist Church, located at 1026 West St. Joseph, where his flock grew from 65 to over 200, and the congregation completed a new church at 2511 Reo Road in 1981; and

WHEREAS, the Galilee Baptist Church members feel so much love for Rev. Charlie and Sister Daisy that they honored their pastor of 34 years and pastor's wife at a gigantic celebration on Sunday, October 17, 1993;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 18th day of October, 1993, hereby commends the career and accomplishments of Reverend Charles S. Tolbert, pastor of Galilee Missionary Baptist Church, and his partner in-life of 56 years, Sister Daisy.

By Councilmember Ford

Carried unanimously

RESOLUTION #596
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, after 40 years of service to the Lansing School District and to the Greater Lansing Community, Robert Rutledge retired in June 1993; and

WHEREAS, Bob Rutledge earned B.A. and M.A. degrees from Michigan State University, and he began his career in public education as a fifth grade teacher at Pleasant Grove Elementary in 1953; and

WHEREAS, Bob later excelled as a principal, serving local families in that capacity at Barnes Avenue Elementary, Forest Road Elementary, Forest View Elementary, and Attwood Elementary; and

WHEREAS, for his service and for his leadership, Bob was honored with a Distinguished Service Award in February 1985 by the Lansing PTA Council, and he was named Lansing School District Employee of the Month in 1989; and

WHEREAS, using his well-developed acting skills from many years of amateur productions, Bob magically metamorphoses each holiday season into Jolly Old Saint Nick himself, delighting youngsters throughout Greater Lansing; and

WHEREAS, the Attwood School family will honor Bob during a program at the school on October 21, 1993;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 18th day of October, 1993, hereby commends ROBERT RUTLEDGE for his outstanding service as a teacher and principal during his 40 year career with the Lansing School District.

By Councilmember Schmidt

Carried unanimously

ORDINANCES FOR INTRODUCTION

There are no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There are no Ordinances for Passage

CONSIDERATION OF LATE ITEMS

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

1/ From Councilmember Belen; a letter from the Director of Economic Development Corporation recommending the transfer of Commercial Facilities Exemption Certificate #84-009 to Community First Bank

REFERRED TO THE COMMITTEE ON ECONOMIC DEVELOPMENT

2/ From Councilmember Schmidt; a resolution of Tribute to Robert Rutledge

HANDLED AS RESOLUTION #596

3/ From Councilmember Lilly; a request that the rules be suspended to allow for the presentation of materials contained in report of the Ad Hoc Committee on Tree Preservation

THE RULES WERE SUSPENDED TO ALLOW FOR THE PRESENTATION OF MATERIAL

MOTION OF EXCUSED ABSENCE

By Councilmember Ford

To excuse Council President Canady from tonight's meeting

Carried unanimously

TABLED ITEMS

By Councilmember Belen

To remove the resolution regarding Board of Ethics Opinion #20 from the table and consider the amendments offered by Councilmember Beal

Carried unanimously

RESOLUTION #597
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Ad Hoc Committee to Review Board of Ethics Opinion #20 has made several recommendations on immediate steps to be taken on recommendations made in Opinion #20; and

WHEREAS, the Committee of the Whole has reviewed the Ad Hoc Committee s strategies for short-term and long-term actions;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby authorizes the Ad Hoc Committee to retain special counsel to advise on Board of Ethics Recommendations #1 and #5, which are stated in Opinion #20 as follows:

1. That the City Council engage special legal counsel to advise it whether early retirement benefits are being legally paid to elected officials and executive employees; and

5. That prior to the ratification of any early retirement payments to any policy level officer or employee, the City Council determine by investigation and competent legal opinion whether each such officer or employee is barred by law from receiving such benefits; and

BE IT FURTHER RESOLVED the Ad Hoc Committee is directed to transmit Board of Ethics Recommendations #2 and #3 to the Ingham County Prosecuting Attorney for action, along with any background materials the prosecutor may require, and request that the Prosecutor serve as special counsel to advise the Board of Ethics pursuant to Recommendations #2 and #3; and

BE IT FURTHER RESOLVED that the Lansing City Council authorizes the County Prosecutor to serve as special prosecutor to prosecute any violation of the City Charter or the Code of Ordinances, should such action be determined to be warranted; and

BE IT FURTHER RESOLVED the Council hereby adopts as standing City policy Board of Ethics Recommendation #4, which states, 'That the Mayor and City Council take immediate steps to insure that all current City records are on file with the City Clerk as required by the Charter and state law, and that future records are filed with the City Clerk as required by the Charter and state law.'; and

BE IT FURTHER RESOLVED the Council hereby adopts as standing City policy that portion of Board of Ethics Recommendation #6 which, effective immediately, will require the City Attorney to review all ordinances and resolutions (except ceremonial resolutions) prior to introduction for consideration by City Council.

October 18, 1993

By Councilmember Beal

To approve the previously stated amendments

Carried unanimously

By Councilmember Belen

To place an affirmative roll on the resolution as amended

Carried unanimously

MAYOR'S COMMENTS

Mayor Crawford announced that he attended the funeral services for Howard Sutton today. He received many compliments on the Lansing Police Department from people attending the funeral. He invited everyone to join the Board of Water & Light, Impression 5 Museum, Lansing Community College and Pace Creative and Colonel Jack Lousma for the inaugural Planet Walk and dedication ceremony tomorrow at 10:00 A.M. Anyone interested in participating in the Veterans Day Parade may contact Jack Gunther at 484-6657. He thanked the members of the Ad Hoc Committee on Tree Preservation.

COUNCILMEMBER'S COMMENTS

Councilmember Beal thanked the Ad Hoc Committee on Board of Ethics Opinion #20 for accepting her amendments to their resolution and for moving so quickly to appoint special counsel to investigate the retirement plan. She asked that the Public Safety Committee pay special attention to the traffic control recommendations for intersections beginning at N. Clemens and going through Howard Street. They are attempting to slow traffic down for these residents. They have been waiting a long time for measures like these to be taken. These orders should reduce speed, but, not impede the traffic flow.

Councilmember Lilly refuted accusations that Gladys Gillison made against him and the role he played in the South Baptist Church issue. He said that the letter she read from last week, that was subsequently printed in the State Journal, contained large distortions of the facts in this case. He reviewed the facts of the case and stated his resentment of Mrs. Gillison's false accusations.

Councilmember Ford protested Councilmember Beal's statement at last week's meeting that the Ad Hoc Committe on Ethics Board

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Opinion #20 needed to have a member who was an attorney and that the people appointed to that committee were not qualified to judge this issue. He received several calls over the weekend because of this statement and wants to clear this issue up. He is a licensed attorney. The resolution that he voted for on early retirement said nothing about including elected officials. He wants the special legal counsel to determine how elected officials were able to take early retirement when the resolution that was passed did not include them. He did not ask to be on this committee but he feels he can make a positive impact as a member. He was happy to see the response from local law firms who have indicated their willingness to become involved in this investigation. He announced that the resolution on Neo's Cabaret license will be delayed for one week while the Committee awaits receipt of the transcript. He reported receiving a complaint about the lighting on Sycamore and Allegan streets from the Michigan Historical Museum. He asked the administration to refer this complaint to Mr. Pandy.

Councilmember Schmidt said that she serves with Councilmember Ford as a member of the General Service Committee which he chairs. He is a professional attorney who evaluates every issue before his committee in detail. She has never worked with a councilmember who has been a better Committee Chairperson than Councilmember Ford has been on General Services. He will put forth his best efforts in review of Ethics Board Opinion #20, as will the other two committee members. She reported receiving a request from the residents of Ellis Court and Dennis St. for extra lighting on their street. She has forwarded their request to the Board of Water & Light and will make sure that they give this request the proper attention. The Public Safety Committee will meet Wednesday at 2:00 P.M. and will take up the issue of Oakland and Seymour along with the traffic control orders referred to them by the Mayor.

Mayor Crawford assured Councilmember Ford that he will look into the lighting situation and asked that he be provided with a copy of the transcript from Neo's hearings when Councilmember Ford receives it.

Councilmember Brockwell said that he attended an awards presentation sponsored by the Lansing Police Department for outstanding citizenry participation and performance above and beyond the call of duty by police officers. They honored a State Police Officer, John Guiterrez who apprehended a criminal in possession of a hand gun when he was in the City out of uniform. Councilmember Ford remarked that Councilmember Brockwell should have gotten an award for apprehending an escaped prisoner in the parking ramp of city hall last summer.

PUBLIC COMMENTS

William Bernstein of 420 Baker St. spoke regarding his trial for disturbing a public assembly.

Douglas Fairbanks of 525 E. Mt. Hope said he will be sorry to see Woolworth's closing. Citizens should get a petition to keep this store in the downtown area.

Alma Miateck of 1434 Pontiac thanked Council for pulling the resolution ordering her to make-safe, or otherwise demolish her property. She asked Mayor Crawford to work with her to develop a moratorium on homelessness.

Ann Smiley of 423 W. Grand River said that her group, The Franklin Street Housing Cooperative, was forced to withdraw from the project to move the two houses associated with the Emanuel Lutheran Church project because of fiscal responsibility. They cannot justify the cost of moving and rehabilitation of these two homes. This was a painful decision for them, but they had to bow out because of the exorbitant cost of moving the houses.

Ken Vaughan of 114 Garden said he speaks for himself, if anyone else shares his views that is their business. Some people are using his name and making statements that are being attributed to him. No one has the right to speak for him. He is not here to speak for Concerned Citizens to Save Lansing, but, the group is gaining strength and will have a large impact on this town. Council, he said, had better listen to them. Anyone who wants to become involved with Concerned Citizens to Save Lansing may call 485-6985.

Phil Alber of 732 W. Genesee read from item VIII A., letter from Arthur DeLeau, requesting an increase in retirement benefits and a 'Thirteenth check' for retirees of the Policemen's & Firemen's Retirement System.

Don DeCair of 1602 W. Rundle read a letter written by Robert Long that appeared in a December 1992 issue of the Lansing State Journal regarding payments from the Policemen's & Firemen's Retirement System.

George Scarlett of 7313 Williamsburg Rd. distributed a letter to Councilmembers regarding the Police & Firemen's Retirement System. They are requesting that their pensions be restored to the original form of escalating 1/2 pay.

Joan DeLau of 719 Poxson speaking on behalf of her father, Arthur DeLau, read a letter her father got from Ada Rainwater of 4965 Cody Way, Cosby, Tenessee, the surviving spouse of a retired policeman. She receives 1/2 of her husband's pension which amounts to $4,310.00 per year. She lives below poverty level and is requesting an increase.

Mark Eggleston of 4001 Heathgate apologized to Councilmember Beal for stating that she voted for the sale of the Civic Center. He is opposed to the candidacy of David Hollister for the Mayor's Office. He gave a report of the activities of the Community Support Sub-Committee of the Ad Hoc Committee on the Acquisition of a Baseball Team. He, along with Jessie Lopez, has contacted 140 little league coaches regarding this issue and all, except a very few, indicated their support of the project.

Frank Curtis of 1137 W. Allegan said there is no reason for the black man to send his kids to Haiti and Somalia to fight and put money in the white man's pocket. There is nothing on the American Flag that represents the black man. He and his family will get something done for the black man even if they have to start a revolution themselves.

Lloyd Teets of 116 E. Elm said that Council should have rescinded Resolution #201 the week after they adopted it. He stated his endorsement of David Hollister for Mayor and asks everyone that voted for him in the primary to cast their votes for Hollister.

Darryll Burgess of 1407 Prospect said that everyone in the city who is opposed to the destruction of the Civic Center must speak out, or, the building will be bulldozed. He has organized a group to save the building calling themselves "The Friends of the Civic Center". They will meet regularly and can be contacted through their post office box.

Lynn O,Connor of 1101 N. Captiol protested the Franklin Street

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Housing Cooperative's withdrawal from the project to move and renovate two houses in the Emanuel First Evangelical Lutheran Church issue. Because of this she has lost trust in City Council. Of the eight houses which were originally to be saved, only one will now be preserved.

Clyde Smith of 6615 E. Galaway Cr. said that it has been 60 days since his attorney's submitted a claim for the payment of their fees to the city. These are fees that he incurred in the performance of his duties as a Lansing Police Officer. He wants to know where this issue is at now. If payment is not approved in a reasonable amount of time, the cost will increase, because his attorney's will take this issue to Circuit Court. He asked for an explanation as to why it has taken 60 days to approve payment of these fees. Councilmember Ford said that this issue has been referred to the General Services Committee, the Mayor, and the City Attorney. They are waiting for a recommendation from the City Attorney and the Administration, after which, they will take action. City Attorney Knot said that his office is ready to file their recommendation with the General Services Committee any time they are ready to receive it. He has held the recommendation on his desk waiting for an indication from General Services that they are going to put it on their agenda. Councilmember Ford responded that if the City Attorney is ready to make a recommendation, they will hear it this Wednesday at the committee meeting. Councilmember Schmidt said that the General Services Committee thought the City Attorney would forward his recommendation to them for placement on their agenda.

Paul Scott of 412 W. Kilborn said that the fact that the Planning Board has not placed approved minutes on file in the City Clerk's Office since April of this year could invalidate all actions taken by the Physical Development Committee and City Council. The Historic District Commission, he said, sunsets in December of this year. It was the responsibility of the City Clerk to notify Council of this fact prior to June 1, 1993. He stated that this had not been done. Councilmember Lilly said that actions of the Physical Development Committee have been put on moratorium until the approved minutes of the Planning Board Meetings are on file in the Clerk's Office.

Harold Leeman of 529 N. Francis asked if the City Attorney would sign all resolutions and ordinances prior to their being placed on the Council agenda. He read from a letter written by Harold McCrill regarding the 100% increase in his sewer rates. Mr. Leeman requested a copy of the 'Sunset memo' from the City Clerk.

ADJOURNED 11:30 P.M.
MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, October 25, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
October 25, 1993

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Canady

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Lilly, Schmidt

ABSENT: Councilmember Ford (arrived 7:20)

The Invocation and Pledge of Allegiance were led by Councilmember Benavides

CONSIDERATION OF LATE ITEMS

By Councilmember Brockwell

To accept the following under suspension of the rules:

1/ From Councilmember Brockwell; a letter from Charles Young regarding his attempt to rent space at the City Market

2/ From Councilmember Brockwell; a letter from the St. Stephens Community Church regarding their Revival

3/ From Councilmember Belen; a request to suspend the rules to allow Margaret Herp to address Council during the first public comment portion of the Agenda

4/ From Councilmember Ford; Petition containing 600 signatures requesting that the name of Grand Ave. be changed to Cesar Chavez Ave. submitted by Paulo Gordillo of 3118 Scarborough

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. In consideration of SLU-11-93, 3200 Delta River Drive, Special Land Use Request for expansion of existing building by Immanuel Community Reformed Church

There were no speakers for this Public Hearing

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

B. In consideration of Z-05-93, 1921 W. Holmes Rd., Request to be Rezoned from "A" Residential to "DM-1" Residential Districts, to allow for the construction of three apartment buildings

Ronald Heck of 900 Long Blvd. #421 speaking on behalf of the property owner, requested approval of their request for rezoning. The property was purchased 20 years ago with the precise idea of using for this type of development. It was designated to be used for modular housing at that time.

Councilmember Belen asked Mr. Heck where the parking lots would be located, in front of the apartments, or behind them. Mr. Heck indicated that because of the negotiations with the Planning Department they have decided to enhance the front of the buildings, and so, the parking lots will probably be located behind the apartments.

Ken Vaughan of 114 Garden St. said he is opposed to the development of more multi-family dwellings inside the city.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

C. In consideration of Z-09-93, 3200 Delta River Drive, Request to be Rezoned from "A" and "B" Residential and "J" Parking Districts to "A" Residential District, to allow for the construction of a family center onto the church

There were no speakers for this Public Hearing

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

PUBLIC COMMENT

Russell Terry of 121 E. Mt. Hope said that he believes that Mr. Person's name is spelled wrong in the resolution appointing him to the Board of Police Commissioners.

Lloyd Teets of 116 E. Elm St. said he is opposed to the request from the Committee on General Services for a detailed billing statement on the attorneys fees for Clyde Smith. He objected to the resolution appointing George Brookover as special counsel on Ethics Board Opinion #20.

Margaret Herp of 906 Stanley St. spoke in support of pre-funding of post retirement health care. This ordinance amendment was approved by the Retirement Board 19 months ago. It was referred to committee. What has happened to it? There are 27 retirees receiving less than $100.00 per month. Older retirees deserve an increase in their benefits.

Councilmember Brockwell said that the Ways & Means Committee has requested a new (up to date) actuarial report.

Councilmember Canady said that there is some concern that when the Federal Health Care Reform Bill is passed retirees may have to pay taxes on their health care benefits. They want to make sure this does not happen.

Rick Kibbe of 300 Shepard St. asked what the boundaries of the blighted district are and how this resolution setting forth the boundaries can be passed without an ordinance adopting legislation that allows them to declare blighted districts.

Tim Lewis of 500 S. Pine asked if the General Services Committee has sent a letter to Clyde Smith's attorneys requesting the detailed billing statement as outlined in their committee report. If it has not been mailed, when do they expect to send it? Councilmember Ford responded that the letter will be sent after adoption of the committee report tonight.

Lewis Pothoff of 1712 W. Miller said that the claim of Officer Smith should have already been taken care of. He asked if appointees to city boards are paid, or, do they volunteer their services. Council President Canady informed him that they are volunteers.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Russell Greear of 3801 Walton Dr. said he does not understand why Council is passing the resolution appointing Mr. Brookover as special counsel to advise them on Advisory Opinion #20 from the Ethics Board. They should have a wide variety of attorneys checking this out. Most Councilmembers have admitted they they did not know what they were voting for when the early retirement incentive was passed.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Canady

Carried unanimously

A. KPMG Peat Marwick submits City of Lansing Financial Statements and Independent Auditor's Report for Year Ended June 30, 1993

REFERRED TO THE MAYOR AND
THE COMMITTEE OF THE WHOLE

B. Request for Waiver of fees for the use of the Parks and Recreation Showmobile for the Halloween Party and Costume Contest submitted by Millie Caesar, Corresponding Secretary to N.U.I.A.

REFERRED TO THE MAYOR AND
THE COMMITTEE ON WAYS AND MEANS

C. Letters from Continental Cablevision regarding:

1. The 1992 Cable Act and the close of negotiations between them and WJRT Channel 12 out of Flint.

2. Submitting an informational flyer mailed to all subscribers about their new Channel Selector Policy and Installation charges

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

D. Notice from the State of Michigan Department of Social Services of the closing of an Adult Foster Care Family Home at 3101 Cumberland, 3431 Radford and 911 W. Hillsdale

REFERRED TO THE MAYOR

E. Letter from John Achterhof of 6337 Wealthy Lane, Zephyrhills, FL requesting an increase in retirement benefits for retirees of the Police & Firemen's Retirement System

REFERRED TO THE MAYOR AND
THE POLICEMEN'S & FIREMEN'S
RETIREMENT BOARD

F. Letter from Michael J. Otis, of Abood, Abood & Rheaume regarding their interest in bringing a Professional Hockey Team to Lansing

REFERRED TO THE COMMITTEE OF THE WHOLE

G. Letter from the Lansing Regional Chamber of Commerce requesting that Council adhere to the recommendations from the Black and Veatch Cost of Service Study regarding the structure of Waste Water Treatment Rates

REFERRED TO THE MAYOR AND
THE COMMITTEE OF THE WHOLE

H. Letter from Representative Dianne Byrum submitting information on the impact of the Governor's School Reform Proposals on local government

REFERRED TO THE MAYOR AND
THE COMMITTEE ON WAYS AND MEANS

I. Resolution from the Ingham County Board of Commissioners declaring October 23 to October 31, 1993 as "Red Ribbon Week" in Ingham County

RECEIVED AND PLACED ON FILE

J. Letter from Margaret Herp of 906 Stanley St. requesting that she be allowed to address Council on the Pre-funding of Post Retirement Health Care

RECEIVED AND PLACED ON FILE

K. Letter signed by Russell Greear regarding the need for housing for the homeless and physically or mentally handicapped population

REFERRED TO THE MAYOR AND
THE COMMITTEE ON GENERAL SERVICES

L. Notice from the State of Michigan Public Service Commission of a Hearing on Consumers Power Company Case # U-10445 to be held November 4, 1993 at 9:00 A.M.

RECEIVED AND PLACED ON FILE

MAYOR'S COMMENTS

Mayor Crawford outlined his letters on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for referral on licenses and bonds:

1. REFERRAL:

Public Driver (1)

REFERRED TO THE CITY ATTORNEY AND
THE COMMITTEE ON GENERAL SERVICES

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of October 18, 1993 for Review

RECEIVED AND PLACED ON FILE

C. Letter from, City Clerk, Secretary of the Ethics Board, regarding a request from the Ingham County Prosecutor for literal transcriptions of Board of Ethics testimony received in investigation of the Early Retirement Incentive

RECEIVED AND PLACED ON FILE

D. Letters from the Mayor re:

1/ Change of Intent

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

2/ Transfer of Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

3/ Proposal from the Board of Water & Light for upgrading the Lighting System at Potter Park

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

4/ Ballentine Stepping Stone Nonprofit Housing Corporation

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT AND WAYS AND MEANS

5/ Pennoaks Project Ordinance

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT AND WAYS AND MEANS

6/ Potter Park Wonderland Lights

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES
AND THE COMMITTEE ON WAYS AND MEANS

7/ Grant Acceptance—D.A.R.E.

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

RESOLUTION #598
REPORT OF COMMITTEE

THE COMMITTEE ON GENERAL SERVICES, to whom was referred the City Attorney's recommendation on the claim of LPD Sergeant Clyde Smith for payment of his attorney fees,

REPORTS AS FOLLOWS: The Committee has reviewed Sergeant Smith's claim, submitted in the form of a letter by Fredric S. Abood on the claimant's behalf, as well as the City Attorney's analysis and recommendation. The City Attorney concluded that the City Council could authorize payment of a reasonable sum to the attorneys representing Sergeant Smith. The City Attorney recommended that the claimant supply the following information to justify the amount of the claim:

1. A copy of the fee agreement, if any, showing the manner in which it was agreed that attorney fees were to be calculated; and

2. A written record of the attorney services and hours involved upon which the fees were determined; and

3. A statement of agreement that City payment of this claim also disposes of any and all attorney fees, including fees payable to attorney Frank Reynolds, who also represented Sergeant Smith.

Upon receipt of these items from the claimant, the Committee will present a resolution for Council action approving the claim in an amount yet to be determined. This report is for information only, and no Council action is required at this time.

Signed: Charles Ford
Alfreda Schmidt
Robert Brockwell

BY COUNCILMEMBER FORD:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #599
REPORT OF COMMITTEE

THE COMMITTEE ON PUBLIC SERVICES, to whom was referred the proposed order to demolish or otherwise make safe a dangerous and unsafe building at 1434 Pontiac,

REPORTS AS FOLLOWS: The Committee met with the owner, Alma Miatech, and with Building Safety Division representatives. The owner currently has a valid building permit, but work requiring other permits must also be done to bring the building into compliance with City Codes. The Committee agreed to hold this matter for 75 days, contingent on the owner, showing substantial progress on Code compliance. The Committee then directed as part of the contingency that the owner cooperate with the Building Safety Division and, within the next two weeks, arrange for an interior inspection of the building and obtain all necessary permits for rehabilitation work. The Code Compliance Manager was directed to report back to the Committee in two weeks with an update on progress of this building's rehabilitation. This report is for information only, and no Council action is required at this time.

Signed: Robert Brockwell
Tony Benavides
Ellen M. Beal

BY COUNCILMEMBER BROCKWELL:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

October 25, 1993

RESOLUTIONS

RESOLUTION #600
BY: ECONOMIC DEVELOPMENT COMMITTEE

WHEREAS, the Lansing City Council established a Lansing Commercial Redevelopment District CRD-8-84, at 309 N. Washington Square, Lansing, Michigan and issued a Commercial Facilities Exemption Certificate for rehabilitation to an existing facility at that site to Altman Brothers Company on September 10, 1984 to remain in effect for twelve years; and

WHEREAS, Community First Bank having received the above mentioned property by foreclosure in July, 1993 has applied for the transfer of this Commercial Facilities Exemption Certificate for the remainder of the twelve year certificate; and

WHEREAS, a hearing was held on Community First Bank's application for an Exemption Certificate transfer on October 18, 1993 at which time all interested persons had an opportunity to be heard on this matter; and

WHEREAS, Community First Bank has met or will meet the requirements for said Exemption Certificate transfer as required by Public Act 255 and by the policies set by this Council; and

WHEREAS, this Council finds that the granting of this Exemption Certificate transfer, considered together with the aggregate amount of Industrial Facilities and Commercial Facilities Exemption Certificates previously granted and currently in force shall not have effect of substantially impeding the operation of the City of Lansing, nor impairing the financial soundness of taxing units levying ad valorem property taxes in the City of Lansing.

NOW, THEREFORE, BE IT RESOLVED, that the Council of the City of Lansing hereby approves the application from Community First Bank for the transfer of the Commercial Facilities Exemption Certificate (#84-009) in Lansing Commercial Redevelopment District (CRD-8-84) from Altman Brothers Company to Community First Bank for the remaining years of the original Certificate granted through December 30, 1996.

By Councilmember Belen

Carried unanimously

Item XII B-1., Resolution approving SLU-10-93, 501 W. Saginaw &

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

612, 616 N. Pine St., was pulled from the agenda at the request of Councilmember Lilly and returned to the Committee on Physical Development

RESOLUTION #601
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has appointed, subject to City Council confirmation, Anthony J. Garcynski who resides in the City of Lansing to fill an At-Large vacancy on the Historic District Commission;

WHEREAS, the Committee on Physical Development has interviewed Anthony J. Garcynski and reviewed his application for Board membership and recommends that City Council confirm the Mayor's appointment of Anthony J. Garcynski to the Historic District Commission;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor's appointment of Anthony J. Garcynski to an At-Large vacancy on the Historic District Commission is confirmed;

NOW, THEREFORE, BE IT FINALLY RESOLVED that Anthony J. Garcynski is confirmed for a three year term which term shall automatically expire on June 30, 1996 unless reappointed and confirmed prior to June 30, 1996.

By Councilmember Lilly

Carried unanimously

RESOLUTION #602
BY: THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, recipients of Community Development Block Grant (CDBG) Funds are authorized to spend such funds on activities which aid in the prevention and elimination of blighted conditions; and

WHEREAS, the City has defined "blighted, deteriorated and deteriorating" areas in Ordinance #869; and

WHEREAS, the Planning Board at its meeting of August 31, 1993 approved Ordinance #869 authorizing the designation by Council of "blighted, deteriorated, and deteriorating" areas; and

WHEREAS, the Committee on Physical Development was informed that the minutes of the August 31, 1993 Planning Board meeting will be approved and on file with the City Clerk's Office prior to the October 27, 1993 Council meeting

WHEREAS, in order to use CDBG funds on an area basis to aid in the prevention and elimination of blighted conditions, it is necessary to delineate the boundary of an area in which the use of such funds is proposed;

NOW, THEREFORE, BE IT RESOLVED that the City Council does hereby designate the following described area as meeting the definition of "blighted, deteriorated and deteriorating":

COMMENCING AT THE INTERSECTION OF SYCAMORE STREET AND IONIA AVENUE AND RUNNING WEST 2 BLOCKS ALONG IONIA TO THE MARTIN LUTHER KING JR./LOGAN BOULEVARD THENCE NORTH 4 BLOCKS ALONG MARTIN LUTHER KING JR./LOGAN BOULEVARD TO SAGINAW STREET THENCE EAST 7 BLOCKS ALONG SAGINAW STREET TO CAPITOL AVENUE THENCE SOUTH 1 BLOCK TO LAPEER STREET THENCE WEST TWO BLOCKS TO WALNUT STREET THENCE SOUTH TWO BLOCKS TO SHIAWASSEE STREET THENCE 2 BLOCKS WEST TO PINE STREET THENCE ONE BLOCK SOUTH TO IONIA STREET AND THENCE WEST ONE BLOCK ALONG IONIA STREET TO POINT OF BEGINNING AT SYCAMORE STREET.

BE IT FURTHER RESOLVED, that subject to such procedures and requirements that the Administration may impose, and applicable regulations, the Administration is authorized but not required to assist eligible activities using CDBG Funds in the designated area.

By Councilmember Lilly

Carried unanimously

RESOLUTION #603
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Transportation Division received a complaint from a citizen regarding vehicles using Bogart Street at the intersection of Bogart Street and Jolly Road;

WHEREAS, the Traffic Engineer on December 14, 1992, pursuant to Section 2.53(2) of the Traffic Code which authorizes temporary traffic control orders, placed a traffic control sign which required all vehicles on Bogart Street at the intersection of Bogart Street and Jolly Road to turn onto Jolly Road;

WHEREAS, no complaints have been received since the temporary traffic control order has been in place;

WHEREAS, the Transportation Division has studied the situation and has recommended that a permanent traffic sign be erected on Bogart Street at the intersection of Bogart Street and Jolly Road;

WHEREAS, the Mayor concurs in the Traffic Engineer's recommendation;

WHEREAS, the Committee on Public Safety has reviewed the report and concurs with the Traffic Engineer's recommendations;

NOW, THEREFORE, BE IT RESOLVED, that the City Council approves Traffic Control Order No. 93-017 authorizing the Traffic Engineer to permanently require that all vehicles on Bogart Street at the intersection of Bogart Street and Jolly Road must turn on Jolly Road;

NOW, THEREFORE, BE IT FINALLY RESOLVED that Traffic Control Order No. 93-017 shall become effective when filed with the City Clerk and the appropriate traffic signs have been erected.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #604
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor has appointed, subject to City Council confirmation, James E. Person to an At-Large position on the Police Commissioners Board replacing David Osborn whose term expired June 30, 1993;

WHEREAS, the Committee on Public Safety has interviewed James E. Person, reviewed his application for Board membership

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

and recommends that City Council confirm the Mayor's appointment of James E. Person to the Police Commissioners Board;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor's appointment of James E. Person to an At-Large position on the Police Commissioners Board replacing David Osborn is confirmed;

NOW, THEREFORE, BE IT FINALLY RESOLVED that James E. Person is confirmed for a four year term which term shall automatically expire on June 30, 1997 unless reappointed and confirmed prior to June 30, 1997.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #605
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing has actively celebrated the observance of United Nations day for the past eight years; and

WHEREAS, under the able chairpersonship of Councilmember Tony Benavides, we will celebrate the 48th anniversary of the United Nations on Saturday, October 23, 1993, with a dinner in the Terrace Room of the Civic Arena, with speaker Esmeralda Brown, Resource Specialist in Economic and Environmental Justices at the United Methodist Office for the United Nations;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby encourages the Citizens of Lansing to participate in the local observance of United Nations Day on Saturday, October 23, 1993, beginning at 10:15 AM in the City Hall Courtyard.

By Councilmember Benavides

Carried unanimously

RESOLUTION #606
BY COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Ad Hoc Committee to Review Board of Ethics Advisory Opinion #20 developed a list of 15 attorneys and/or law firms to serve as special legal counsel to City Council regarding Opinion #20; and

WHEREAS, after a complete review of the list by the Ad Hoc Committee pertinent documents were sent to 9 of the attorneys and/or law firms on the list, accompanied by a written request that they review the materials and contact the City Council Office if they were interested in being interviewed by the Ad Hoc Committee; and

WHEREAS, prior to October 20, 1993 three attorneys called to express their interest, but one attorney subsequently contacted the City Council Office and declined prior to the Ad Hoc Committee's meeting;

WHEREAS, the remaining two attorneys were interviewed by the Ad Hoc Committee; and

WHEREAS, based upon the interviews, the Ad Hoc Committee has recommended to Committee of the Whole that George Brookover be retained as Special Counsel;

WHEREAS, the Committee of the Whole concurs in the recommendation of the Ad Hoc Committee;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council hereby adopts the recommendation of the Ad Hoc Committee to retain George Brookover as Special Counsel to City Council for the purpose of advising on matters pertaining to Board of Ethics Advisory Opinion #20;

BE IT FURTHER RESOLVED that funds are available to pay George Brookover and shall be paid from the City Council Professional Services Account No. 101-112101-743000-0.

By Councilmember Belen

Carried unanimously

RESOLUTION #607
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, there is a vacancy on the Capitol Area Airport Authority Board; and

WHEREAS, the Mayor has recommended that Helen Pratt Mickens be appointed to fill the vacancy on the Capitol Area Airport Authority Board as a City of Lansing representative;

WHEREAS, the City Council concurs in the Mayor's recommendation;

NOW, THEREFORE, BE IT RESOLVED, that Helen Pratt Mickens be appointed to fill the vacancy on the Capitol Area Airport Authority Board as a City of Lansing representative;

BE IT FINALLY RESOLVED that the term that Helen Pratt Mickens is appointed for shall be a four year term and her term shall automatically expire on October 14, 1997 unless reappointed by the Mayor and Council on or prior to October 14, 1997.

By Councilmember Belen

Carried unanimously

ORDINANCES FOR INCTRODUCTION

There were no Ordinaces for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Brockwell; a letter from Charles Young regarding his attempt to rent space at the City Market

REFERRED TO THE COMMITTEE ON GENERAL SERVICES, THE COMMITTEE ON PUBLIC SERVICES, AND THE HUMAN RELATIONS BOARD

2/ From Councilmember Brockwell; a letter from the St. Stephens Community Church regarding their Revival

RECEIVED AND PLACED ON FILE

3/ From Councilmember Belen; a request to suspend the rules to allow Margaret Herp to address Council during the first public comment portion of the Agenda

THE RULES WERE SUSPENDED AND MRS. HERP ADDRESSED COUNCIL DURING THE PORTION OF THE AGENDA RESERVED FOR PUBLIC COMMENT ON ACTION ITEMS

4/ From Councilmember Ford; Petition containing 600 signatures requesting that the name of Grand Ave. be changed to Cesar

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Chavez Ave. submitted by Paulo Gordillo of 3118 Scarborough

REFERRED TO THE MAYOR AND THE PLANNING BOARD

MAYOR'S COMMENTS

Mayor Crawford congratulated the Lansing Housing Commission for receiving a $100,000 award for their housing programs. He hopes to see these programs expand within the city.

COUNCILMEMBER'S COMMENTS

Councilmember Belen asked when City leaf pickup begins. Mayor Crawford answered that it is underway now. Anyone with leaves for pickup may put them out on their regular pickup day.

Councilmember Lilly announced that the Physical Development Committee will take up all of their pending items this Thursday at 3:00 P.M. They have had several issues that have been on hold until the Planning Board Minutes were placed on file in the City Clerk's Office.

Councilmember Ford objected to the statements made by Jon Addis at last week's meeting. He feels he has served the citizens of this city well and he resents Mr. Addis's inference that he has not.

Councilmember Schmidt said that she met a very lovely, interesting centenarian over the weekend. Tish Hall is 106 years old and still active in local affairs. She announced that she has glow-in-the-dark wands available for children to use while trick-or-treating; anyone interested in obtaining one may contact her.

CITIZENS COMMENTS

William Bernstein of 420 Baker St. made insults of a personal nature against Councilmember Brockwell and was cautioned by President Canady that he must refrain from making personal remarks and address his remarks to council as a whole.

Lee Shunk of 601 Leslie St. said that he finally saw a State of Michigan delivery vehicle making his delivery in the proper place. He asked that someone call his father about a problem he experienced this afternoon with a meter maid.

Douglas Fairbanks of 625 E. Mt. Hope commended Councilmember Brockwell for the great job he did of presiding over the Council meeting last week.

Gladys Gillison of 223 W. Barnes said that the information contained in the letter she sent to the Editor of the State Journal was correct. She verified it with two people who attended the meeting on the South Baptist Church parking lot. Councilmember Lilly responded by saying that all of his statements last week are a matter of official record and can be easily verified. He got her neighborhood and the Church together.

Richard Collins of 225 Moores River Drive said that Councilmember Lilly told their neighborhood group that they did not have the necessary five votes on council to override the Church's rezoning request. He told them that they did not have any friends on Council with the exception of Councilmember Beal. He killed any chance that SCNO had for fair negotiations with the church.

Paulo Gordillo of 3118 Scarborough said he collected 600 petition signatures from residents and tax payers who support his request that the name of Grand Ave. be changed to Cesar Chavez Avenue. They are requesting this honor on behalf of his work for the United Farm Workers. Councilember Benavides asked to have the delegation that accompanied Mr. Gordillo stand in recognition of their efforts. Approximately 16 people stood.

Lewis Pothoff, no address given, said that the last time he attended a City Council meeting he fell down the steps in front of City Hall when leaving. He has a depth perception problem and that is why he keeps trying to get the edges of these steps painted. They are a hazard. He asked Councilmember Brockwell to have the Building Department inspect his house. He is a renter and as far as he knows the house he rents has never been inspected. His phone number is 882-0593, if they want to contact him. He said that he and his step-daughter were treated very rudely this weekend by Officers in the Lansing Police Department. They need some lessons in manners.

Lloyd Teets of 116 E. Elm St. said that the Chief Deputy to the City Clerk is mandated by Charter and the present City Clerk had no right to eliminate this position. He announced his support for Sue Eby's campaign for the Office of City Clerk. Councilmember Lilly defended the City Clerk's position and said that Mr. Teets neglected to mention that the Charter says "The City Clerk shall designate one person in the office to serve as Chief Deputy City Clerk at the pleasure of the City Clerk." To his knowledge this is exactly what Marilynn Slade has done.

Charles Young of 5747 Richwood said that he has attempted to rent space in the City Market, but, was told that his business does not fit within the criteria established by the Market Prospectus. He and his wife have an african american gift shop that sells mementos of the african heritage, such as Christmas tree ornaments, figurines, etc. They were allowed to rent a stall for the first two weekends in October, but are now being denied space. They believe that they deserve to be offered this economic opportunity and that the Market should reflect all of the nationalities within the community. Councilmember Benavides said that he attended a recent meeting of the Human Relations Board in which a hispanic businessman related a very similar situation about the City Market. Councilmember Ford said that he would like the Committee on General Services to take this issue up Wednesday at 3:30. COUNCIL PRESIDENT CANADY REFERRED THIS ISSUE TO THE CITY ATTORNEY AND THE HUMAN RELATIONS BOARD.

Ken Vaughan of 114 Garden St. said that the intersection of Mt. Hope and Washington Ave. needs to have a right turn only sign installed. Councilmember Schmidt agreed that there is a problem at that intersection. The issue was reviewed by the Traffic Board, but, the determination was not satisfactory, in her opinion. She would like to have this issue revisited.

Russell Greear of 3801 Walton Dr. said the City must make sure City Hall is in compliance with the ADA. He disagreed with the idea of changing the name of Grand Ave. to Cesar Chavez Ave. and said they should pick a street on the north end of town where there is a larger hispanic population. Councilmember Ford took exception to Russell's remarks and said "We have a strong hispanic community in the City of Lansing, not just in one area."

Alma Miateck of 915 Tisdale said she is interested in the housing situation in Lansing and in the demolition of homes. She asked what law or ordinance governs the demolition of homes. Councilmember Brockwell told her that the City of Lansing adopts the Uniform Building Code and incorporates it into the Code of Ordinances.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Clyde Smith of 6615 E. Galaway Cir. apologized to Mayor Crawford and accused Councilmember Ford of being the hold-up in the payment of his claim for attorney fees. The City will pay the fees, he warned, either voluntarily or involuntarily, they will pay. He has been both rewarded and charged with criminal counts for the performance of his duties while serving as a Lansing Police Officer. Councilmember Ford said that the Committee on General Services has not dragged their feet on this. They took action on it as soon as they received the City Attorney's recommendation. Councilmember Schmidt said there is no reason this recommendation should have taken as long as it did. Councilmember Beal said that the Committee on General Services asked for a swift reaction from the City Attorney and last week was the first they knew that his recommendation was ready for them to act upon.

Hulon T. Benson 1018 W. St. Joe said that he does not want to see David Hollister elected as Mayor. The Kings Kid day care center, on whose board he sits, had appealed to Mr. Hollister for help regarding a problem with a former employee. Mr. Benson requested additional time in which to finish his address. By motion of Councilmember Lilly and an affirmative vote of Council (Councilmember Ford abstained because he acted as legal counsel for Kings Kids) Mr. Benson continued, saying, Hollister gave them the wrong advice and they wound up having to appear in court on the issue.

Rudy Reyes 2201 S. Pennsylvania Ave. spoke in support of changing the name of Grand Ave. to Cesar Chavez Avenue. It would make him proud to know that his city honored Mr. Chavez and the people of his heritage in this way.

Ruth Peoples of 1019 Hickory thanked Council for passing the ordinance prohibiting loitering in known prostitution areas. She has her neighborhood back now and is grateful to Council.

Tim Lewis of 500 S. Pine approved of the re-naming of Grand Ave. to Cesar Chavez Avenue. He objected to the statements Lloyd Teets made impugning City Clerk, Marilynn Slade. She is honest, has integrity, she is a willing, eager administrator and has been an exemplary City Clerk. He appreciates what she has done for the community.

Mary Haney of 1312 Roosevelt said that Grand Ave. is not enough of a tribute to Cesar Chavez. They should go after Grand River Ave. She asked for investigation of a letter read in last night's debate.

ADJOURNED 9:20 P.M.
MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, November 1, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
November 1, 1993

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Canady

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

ABSENT: None

The Invocation and Pledge of Allegiance were led by Councilmember Schmidt

CONSIDERATION OF LATE ITEMS

By Councilmember Belen

To accept the following under suspension of the rules:

1/ From Councilmember Belen; a request that the rules be suspended to allow for a Special Ceremony to accept a tribute for the National Nite Out Celebration

2/ From Councilmember Lilly; a request that the rules be suspended to allow for a Special Ceremony regarding the Lansing Youth and Recreation Fund

3/ From Councilmember Benavides; a letter from the Church of God In Christ regarding false alarm fines assessed against the Church

4/ From Councilmember Benavides; a report from the Internal Auditor regarding the results of the Early Retirement Plan

5/ From Councilmember Ford; a Committee Report from the Committee on General Services and the Committee on Public Services regarding Charles Young and the City Market

Carried unanimously

SPECIAL CEREMONIES

A. Officer Loren Glasscock and Chief of Police Boles presented a plaque in recognition of the City of Lansing National Nite Out Ceremonies to Mayor Crawford and President Canady. Lansing ranked 6th in participation throughout the country for this event.

B. Mayor Crawford announced that the City will donate office space in the Scott House to the Lansing Youth and Recreation Fund. Kris Nicholoff of L.Y.R.F. announced that Jack Siebolt will become the new, full time Executive Director of Lansing Youth and Recreation Fund. Mr. Nicholoff thanked Mayor Crawford and Council for granting them this office space and for their support of the project. He thanked Jack Siebolt for taking on the directorship, and Eric Reickel, Director of the Parks and Recreation Department for all of the hours spent making this program work by his department. Jack Siebolt thanked Mayor Crawford, Kris Nicholoff and Eric Reickel for this honor and said he is eager to get on with this challenge.

PUBLIC COMMENT

Lee Shunk, Jr. of 610 Leslie St. spoke in opposition to Z-7-93 and Z-8-93. The City needs to straighten out the traffic patterns in the downtown area before they pass any more rezonings, he said.

Lloyd Teets of 116 E. Elm St. said that he does not think all of the items reported out of the Committee on Physical Development were placed on the City Council Agenda for action tonight.

Russell Terry of 121 E. Mt. Hope said that he supports the expenditures to improve the electrical lighting at Potters Park.

Tim Lewis of 500 S. Pine spoke in support of the resolution of approval on the claim of Christopher Greene. It takes the County too long to communicate changes such as this.

Harold Leeman of 529 N. Francis asked for discussion about measures that can be taken to prevent situations like the Christopher Greene claim. He asked who was responsible for the purchase of the smoke detectors for low income families. He would like to see discussion on this process also.

Russell Greear of 3801 Walton Dr. objected to the Ad Hoc Committee Report on Tree Preservation. Everyone should work so hard to save housing for the homeless, he said.

Alma Miateck of 915 Tisdale concurred with the remarks made by Russell Greear. If they can save trees, they can save houses too.

Lewis Pothoff of 1712 W. Miller Rd. asked about the purpose of the Committee Report approving the change of intent for the Police Department and about the resolution approving expenditures for smoke detectors for low income families.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as being read in full and that the proper referrals be made by President Canady

Carried unanimously

A. Letter from Arthur DeLau, President of Lansing Retired Policemens' & Firemens' Association requesting additional referrals of their last letter to the Mayor, Finance Director and Committee on Ways and Means

REFERRED TO THE MAYOR, THE FINANCE DEPARTMENT, AND THE COMMITTEE ON WAYS AND MEANS

B. Claim appeal of Jessie Adams of 10172 Burgundy

REFERRED TO THE COMMITTEE ON GENERAL SERVICES AND THE CITY ATTORNEY

C. Notice from the State of Michigan Department of Natural Resources that the Revised Combined Sewer Overflow Notification Procedures meets the requirements of Section 7.a.(1) of Act 245

REFERRED TO THE MAYOR AND THE PUBLIC SERVICE BOARD

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

D. Notice from the State of Michigan Department of Natural Resources of Approval of Permit No. MI 0023400 for the Combined Sewer Overflow Control Work Plan

REFERRED TO THE MAYOR AND THE PUBLIC SERVICE BOARD

E. Notice from the State of Michigan Department of Commerce Liquor Control Commission of the denial of a request to Transfer Ownership of 1988 SDD license only with Sunday Sales Permit from George A. Coscarelli and Thomas P. Coscarelli from 2420-2422 S. Cedar St. to Walmart Inc. at 340 E. Edgewood

RECEIVED AND PLACED ON FILE

F. Notice from the State of Michigan Department of Transportation of five "Town Hall" meetings held between October 19, to October 28, 1993 for the purpose of accepting public input on "Recommended Criteria and Procedures for Identifying Michigan's Heritage Routes"; written response will be accepted through January 3, 1994

RECEIVED AND PLACED ON FILE

G. Claim filed by attorneys on behalf of owners of property located at 815 Daleford, 712 W. Lapeer

REFERRED TO THE CITY ATTORNEY

H. Copy of Resolution adopted by City of Grosse Pointe Woods regarding Zoning Authority for Day Care Homes

REFERRED TO THE MAYOR AND THE PLANNING BOARD

I. Letter from Rita Deason of 2936 Quincy Lane commending the Ethics Board members for their work on the early retirement investigation

RECEIVED AND PLACED ON FILE

J. Notice from State of Michigan Department of Social Services of an Application for a License to Operate a Small Group Home filed by Gracie Ansley of 2034 Lenawee for a Facility to be located at 911 W. Hillsdale

REFERRED TO THE MAYOR AND THE PLANNING BOARD

K. Listing received from State of Michigan Department of Social Services of Adult Foster Care Facilities located in Lansing

REFERRED TO THE MAYOR AND THE PLANNING BOARD

MAYOR'S COMMENTS

Mayor Crawford outlined his letters on tonight's agenda, and asked Council to act as expediently as possible on the contract with City Signal on the fiber optics network. This will be a tremendous benefit to the City. Lansing will be one of the smallest cities to have this type of fiber optic capabilities.

CITY OFFICER AND BOARD REPORTS

A. Letter from City Clerk submitting routine applications for action on licenses and bonds:

1. REFERRALS:

Public Drivers (4)

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of October 25, 1993 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1. Board of Water & Light Expenditure Forecast

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

2. City Signals Fiber Optic Network

REFERRED TO THE COMMITTEE OF THE WHOLE

COMMITTEE REPORTS

RESOLUTION #608
REPORT OF COMMITTEE
BY THE COMMITTEE ON WAYS AND MEANS, to whom was referred the Ad-Hoc Committee Report on tree preservation,

Reports As Follows: On successive weeks the Committee has reviewed the report with the Interim Public Service Director and the Forestry Superintendent. Based on these discussions the Committee is requesting a written response specifically addressing the following matters

1. Retention of a competent arborist, based on selection criteria established by the Forestry Superintendent, to serve as a tree consultant/advocate for the C.S.O. Project.

2. Utilization of competent contractual tree trimming services for trees impacted by the C.S.O. Project, with selection based on criteria established by the Forestry Superintendent.

3. Improving the process of providing timely and comprehensive information to areas impacted by the C.S.O. Project.

4. Joint Development of new specifications clearly defining damages to be paid by contractors who injure publicly owned trees.

5. Development of criteria and procedures by the Public Service and Parks Departments that will provide adequate notification and review by the Forestry Superintendent in regard to work programs scheduled by outside agencies that may have a negative impact on publicly owned trees.

The Committee requests that, with the exception of #5, this report be submitted back to Committee by December 1, 1993.

Further, the Committee requests that all additional costs be included in the C.S.O. State Revolving Loan Fund Application. If rejected by the State, the Administration is requested to return to Committee with this information so that an alternative source of funds can be identified.

SIGNED: Tony Benavides
Bob Brockwell
Alfreda Schmidt

BY COUNCILMEMBER BENAVIDES:

That the report of the Committee be adopted.

CARRIED UNANIMOUSLY

RESOLUTION #609
REPORT OF COMMITTEE
BY THE COMMITTEE ON WAYS AND MEANS to whom was referred the matter of a change of intent for purchase of a copier for the Radio Lab on David Street, to be used by the Radio Lab

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

personnel and by Police Officers using the report-writing station at that location,

REPORTS AS FOLLOWS; the current copier is broken, and replacement parts are not available, due to age of equipment. The vendor no longer stocks supplies for this model.

The Police Department has requested a change of intent within their Department appropriation to purchase a replacement copier for $600 by transfer from Radio Lab Miscellaneous and Operating Expenses and Uniform Patrol Operating Supplies, to cover the balance of the cost for the replacement unit. Residual funds of $94 are available within the Radio Lab Equipment account.

Under the City Council's Budget Monitoring Policy, purchase of equipment which was not originally included in the adopted Budget, and the cost of which exceeds Charter executive transfer authority, requires approval of a change of intent by City Council. The Committee recommends approval of a change of intent to permit purchase of a replacement copier within the Police Department budget. The balance of the required funding ($506) would be transferred to the Radio Lab Equipment account from the Radio Lab Miscellaneous and Operating Expenses and Uniform Patrol Operating Supplies accounts.

Signed: Tony Benavides
Bob Brockwell
Alfreda Schmidt
COMMITTEE ON WAYS AND MEANS

BY COUNCILMEMBER BENAVIDES:

That the Report of the Committee be approved.

Carried Unanimously

October 28, 1993

RESOLUTION #610
Z-7-93
913, 915, 917 & 921 W. Allegan

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of the rezoning of Z-7-93, 913, 915, 917 & 921 W. Allegan, to be rezoned from "C" Residential District to "D 1" Professional Office District

REPORTS AS FOLLOWS:

That the request for the said rezoning be approved.

SIGNED: RICK LILLY
Lucile Belen
Mark H. Canady
COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Lilly:

CARRIED UNANIMOUSLY

RESOLUTION #611
Z-8-93
927, 1001 & 1007 W. A11egan

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of the rezoning of Z-8-93, 927, 1001 & 1007 W. Allegan, "C" Residential District to "D-1" Professional Office District

REPORTS AS FOLLOWS:

That the request for the said rezoning be approved.

SIGNED: RICK LILLY
Lucile Belen
Mark H. Canady
COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Lilly:

Carried unanimously

RESOLUTION #612
Z-9-93
3200 Delta River Drive

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of the rezoning of Z-9-93, 3200 Delta River Drive, to be rezoned from "A" and "B" Residential and
"J" Parking Districts to "A" Residential District

REPORTS AS FOLLOWS:

That the request for the said rezoning be approved.

SIGNED: RICK LILLY
Lucile Belen
Mark H. Canady
COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Lilly:

Carried unanimously

RESOLUTION #613
SLU-10-93
501 West Saginaw Street
Child Care Facility

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of reviewing a Special Land Use Permit request SLU-10-93, 501 West Saginaw Street, which is a request by Trinity Lutheran Church, for the purpose of operating a child care facility, for up to 65 children

REPORTS AS FOLLOWS:

That the request for the said Special Land Use permit be approved subject to:

1. That the outdoor play space be fenced;

2. That any signage for the day care be limited to six square feet;

3. That the required outdoor play space be appropriately relocated if and when the church sells the rental properties at 612 and 616 N. Pine Street;

4. That the site plan be approved by the City Transportation Engineer as it pertains to internal traffic circulation and drop-off of children.

5. That landscaping be added to all Trinity Lutheran Church parking areas, including the parking lot east of Chestnut Street.

SIGNED: RICK LILLY
Lucile Belen
Mark H. Canady
COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Lilly:

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Carried unanimously

RESOLUTION #614
SLU-11-93
3200 Delta River Drive

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of the Special Land Use, SLU-11-93, which is a request by Immanuel Community Reformed Church, 3200 Delta River Drive, for the purpose of expansion of the existing church building.

REPORTS AS FOLLOWS:

That the request for the said Special Land Use be approved subject to the condition that a site plan showing access, parking, on-site detention of storm water, and landscape, screening and buffering be submitted and approved by all necessary agencies.

SIGNED: RICK LILLY
Lucile Belen
Mark H. Canady
COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Lilly:

Carried unanimously

RESOLUTION #615
FCF-3-93
616 W. Shiawassee St.

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of the reviewing of the licensing of an adult foster care small group home for a maximum of six adults at 616 West Shiawassee Street

REPORTS AS FOLLOWS:

That the request for licensing by the State of Michigan be approved.

SIGNED: RICK LILLY
Lucile Belen
Mark H. Canady
COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Lilly:

Carried unanimously

RESOLUTION #616
FCF-4-93
1615 W. Ottawa St.

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

TO WHOM WAS REFERRED the matter of the reviewing of the licensing of a Foster Family Group Home to provide shelter and care for a maximum of six (6) foster children at 1615 W. Ottawa Street

REPORTS AS FOLLOWS:

That the request for licensing by the State of Michigan be denied.

SIGNED: RICK LILLY
Lucile Belen
Mark H. Canady
COMMITTEE ON PHYSICAL DEVELOPMENT

By Councilmember Lilly:

Carried unanimously

RESOLUTUION #617
REPORT OF COMMITTEE

BY THE COMMITTEE ON GENERAL SERVICES AND THE COMMITTEE ON PUBLIC SERVICES

TO WHOM WAS REFERRED: The letter from Mr. and Mrs. Charles Young, owners of Leslie's Unique Findings, indicating they were no longer allowed to have a merchandise stand in the City Market.

REPORTS AS FOLLOWS: The Committee received testimony from Mr. and Mrs. Young with respect to the fact that the Director of the City Market telephoned Mr. and Mrs. Young, after only being set up for two weekends at the City Market, notifying the Young's they were no longer able to set up in the market. They were told their merchandise was not hand made and therefore did not meet the market's requirements. The Youngs still have a desire to continue selling at the City Market and would like this matter to be taken care of. The Committee recognizes the fact that the City no longer has any supervisory abilities towards the City Market; however, believes this matter needs to be reviewed by the City Market Board of Directors.

The Committee therefore requests this matter be referred to the City Market Board of Directors for an expeditious review and reconsideration of the action taken by the Director of the City Market and allow the Youngs to continue to be able to rent space from the City Market and sell their unique merchandise. An expeditious review is requested due to the approach of the holiday season which is critical for the products they market.

Signed: Charles Ford
Alfreda Schmidt
Robert Brockwell
Tony Benavides
Ellen Beal

By Councilmember Ford

To discharge the Committee on Public Services with respect to this item

Carried unanimously

By Councilmember Ford

That the report of the Committee be accepted

Carried unanimously

RESOLUTIONS

RESOLUTION #618
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Clerk has forwarded an application for a public driver license by Gary Paul Rankinen to City Council; and

WHEREAS, the Clerk has informed the Committee on General Services that the required fee to process the public driver applicant has been paid in full and is non-refundable; and

WHEREAS, the Police Department has reviewed the public driver application by Gary Paul Rankinen and recommends approval; and

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

WHEREAS, the Committee on General Services has reviewed the application and concurs in the recommendation of the Police Department;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the following application for public driver license:

PUBLIC DRIVER: Gary Paul Rankinen

By Councilmember Ford

Carried unanimously

RESOLUTION #619
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Christopher Greene filed a claim against the City in the amount of $748.45 in protest of a special assessment for a trash removal at his residential property located at 207 West Barnes Avenue; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the Claims Review Committee concurred with the staff recommendation and denied the claim; and

WHEREAS, the claimant appealed the denial to the City Council, which referred the claim to the Committee on General Services for investigation; and

WHEREAS, the claimant appeared before the Committee, furnishing testimony and evidence in support of the claim; and

WHEREAS, the Committee found that the claimant did not receive notice of the violation because the Assessor's Office ownership files had not yet been updated to reflect the recent sale of the property in question, and the violation notice was sent to the seller instead of the claimant purchaser; and

WHEREAS, under the particular circumstances of this situation, the Committee recommends approval of the claim;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the claim of Christopher Greene in the amount of $748.45; and

BE IT FINALLY RESOLVED the City Attorney is directed to arrange for payment of this amount or arrange removal of the special assessment from the property located at 207 West Barnes, as may be appropriate, after the appropriate releases are signed by the claimant.

By Councilmember Ford

To accept a substitute resolution for the original submitted in the packet

Carried unanimously

By Councilmember Brockwell

To amend the substitute resolution in the eighth (8) paragraph to state:

"NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the claim of Christopher Greene in the amount of $588.45; and"

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Lilly

NAYS: Councilmembers Ford, Schmidt

By Councilmember Ford

To place an affirmative roll on the substitute resolution as amended

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

NAYS: None

RESOLUTION #620
BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Christmas at the Potter Park Zoo is an annual event; and

WHEREAS, the Department of Parks and Recreation, the Park Board and the Potter Park Zoological Society have reviewed and recommend that a proposal by the Board of Water and Light be implemented in order that certain proposed electrical improvements may be made to the entrance of Potter Park Zoo and the ticketing booth, along with additional electrical capacity to accommodate and improve the Park's annual "Wonderland of Lights" holiday program; and

WHEREAS, the Mayor has received the recommendation from the Parks and Recreation Director, the Park Board and the Potter Park Zoological Society and concurs in their recommendation; and

WHEREAS, the Committee on Ways and Means has reviewed the Board of Water and Light's proposal and finds that such lighting and the additional electrical capacity would improve security and provide additional electrical service to the Park entrance and the ticket booth along with additional electrical capacity to accommodate the Park's annual "Wonderland of Lights" holiday program.

WHEREAS, pursuant to the City Council policy adopted January 26, 1981, all revenues in excess of expenses generated by the motorized vehicle entrance fee shall be designated and used only for capital improvements in the Potter Park complex provided that the capital improvement projects have received the prior approval of City Council.

WHEREAS, the Committee on Ways and Means has been informed by the Finance Department that the current balance of such accumulatedand designated parking fees is $133,474; and

WHEREAS, the estimated cost of the proposal for the Board of Water and Light to provide the proposed electrical service upgrade is $14,668.28;

WHEREAS, the Committee of Ways and Means concurs in the recommendation of the Mayor, Director of Parks and Recreation, Park Board and the Potter Park Zoological Society;

NOW, THEREFORE, BE IT RESOLVED, that the City Council authorizes the expenditure of up to $14,668.28 from the designated capital improvements account within the Potter Zoo Fund's Enterprise Fund for the purpose of making the proposed electrical improvements contained in the proposal received from the Board of Water and Light.

By Councilmember Benavides

Carried unanimously

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

RESOLUTION #621
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Fire Department has received since July 1, 1993, $400.00 in donations for the purchase of smoke detectors; and

WHEREAS, the Fire Department has $975.00 in unexpended funds from the fiscal year FY92/93 which unexpended funds are designated for the purchase of smoke detectors;

NOW, THEREFORE, BE IT RESOLVED that $1,375.00 be transferred to the FY93/94 Fire Department budget control account in order that the Fire Department may expend the monies for the purchase of smoke detectors.

By Councilmember Benavides

Carried unanimously

RESOLUTION #622
BY THE COMMITTEE ON WAYS AND MEANS
RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Federal funds became available through the State Office of Criminal Justice for D.A.R.E. Education in the Spring of 1993; and

WHEREAS, the City, as the grantee, submitted an application for D.A.R.E. Education grant funds for the Lansing Police Department; and

WHEREAS, the City has been advised that a grant in the total amount of $20,550 is available for the period October 1, 1993, through September 30, 1994; and

WHEREAS, the amount available, when combined with grant matching funds totaling $18,408 will be sufficient to cover current salary and fringe benefit costs for one (1) Police Officer I from October 1, 1993 through the end of the school year; and

WHEREAS, the Mayor and the Police Department have recommended the acceptance of this grant by City Council;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council accepts the Federal Grant Funds in the amount of $20,550 which will be applied to a portion of the costs of funding one D.A.R.E. Education Officer position for the period from October 1, 1993 through September 30, 1994;

BE IT FURTHER RESOLVED, that the City will provide matching funds in the amount of $18,408 for the balance of the projected costs for this position for the school year period, which match funds shall be expended from the current balance in the Police Uniform Grant Matching Funds account; and

BE IT FINALLY RESOLVED, that authority for this position within the Police Department Table of Organization shall automatically terminate upon expiration of the monies from this grant.

By Councilmember Benavides

Carried unanimously

RESOLUTION #623
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Trinity Lutheran Church, 501 West Saginaw Street, has requested a Special Land Use permit (#SLU-10-93) to operate a child care facility for up to 65 children within the existing church facility and to utilize a portion of the rear yards of 612 and 616 North Pine Street for the required outdoor play space, and

WHEREAS, the Planning Board held a public hearing on August 3, 1993, where a representative of the church spoke in favor of the petition and two communications were received regarding the petition, one expressing a concern over parking and the other in favor of the petition, and

WHEREAS, the Planning Board has reviewed the petition, and on September 8, 1993 unanimously (8-0) recommended approval of the petition with conditions, and the approved minutes of said Planning Board meeting are on file in the City Clerk's Office, and

WHEREAS, the Mayor concurs in the recommendation of the Planning Board, and

WHEREAS, City Council held a public hearing on Trinity Lutheran Church's request for a Special Land Use permit on October 18, 1993 and a representative of the church spoke in favor of the petition and no one else spoke, and

WHEREAS, the Physical Development Committee of City Council has reviewed the report of the Planning Board and concurs therewith,

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby approves the Special Land Use request by Trinity Lutheran Church, 501 West Saginaw Street, to operate a child care facility for up to 65 children within the existing church facility and to utilize a portion of the rear yards of 612 and 616 North Pine Street for the required outdoor play space, with the following conditions:

1. That the outdoor play space be fenced;

2. That any signage for the day care be limited to six square feet;

3. That the required outdoor play space be appropriately relocated if and when the church sells the rental properties at 612 and 616 North Pine Street;

4. That the site plan be approved by the City Transportation Engineer as it pertains to internal traffic circulation and drop-off of children.

5. That landscaping be added to all Trinity Lutheran Church parking areas, including the parking lot east of Chestnut Street.

BE IT FURTHER RESOLVED that this Special Land Use shall not be effective and/or shall only remain in effect if the Petitioner fully complies with all of the five conditions set forth above in this resolution and if the Petitioner executes a written agreement evidencing the Petitioner's understanding of the five conditions and the effect if the Petitioner does not comply with the five conditions set forth above in this resolution.

BE IT FINALLY RESOLVED that in granting this request, the City Council determines the following:

1. The Trinity Lutheran day care center will be compatible with the use of adjacent properties.

2. It will not change the essential character of the area which will remain predominantly residential to the north, south and east, and convenience retail and office to the west.

3. The day care facility and use of the outdoor space should not interfere with the use of the adjacent properties.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

4. The day care will be an improvement to the property by putting the church's underutilized classroom space to good use.

5.The proposal will not create negative environmental impacts.

6/7. The proposal will not negatively impact public service or utilities to the site.

8/9. The proposal is in compliance with the River Island Comprehensive Plan and with the requirements of the Zoning Ordinance.

By Councilmember Lilly

Carried unanimously

RESOLUTION #624
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Immanuel Community Reformed Church, located at 3200 Delta River Drive, desires to construct a 10,000 square foot addition which would require the church to obtain a Special Land Use permit (#SLU 11 93) since the proposal represents a substantial addition, and

WHEREAS, the Planning Board held a public hearing on September 8, 1993, at which time the pastor of the church spoke in support of the petition, a neighbor spoke in support of the petition, and a River Forest Neighborhood Association representative indicated the Association's position of nonopposition, provided there was appropriate landscaping, and

WHEREAS, the Planning Board reviewed the petition, and on September 21, 1993 unanimously (7-0) recommended the approval of the Special Land Use petition with conditions, and

WHEREAS, this recommendation of the Planning Board is made in conjunction with the Planning Board's recommendation to approve the church rezoning request; and

WHEREAS, the approved minutes of the September 8, 1993 Planning Board meeting are on file in the City Clerk's office, and

WHEREAS, the City Council Committee on Physical Development has reviewed the Planning Board's recommendation and concurs therewith, and

WHEREAS, the City Council held a public hearing on October 25, 1993 and no one spoke in opposition to the request, and

WHEREAS, the Mayor concurs with the Planning Board's recommendation to grant the Special Land Use permit with conditions to the church,

NOW, THEREFORE, BE IT RESOLVED that the City Council approves the Special Land Use request by Immanuel Community Reformed Church to construct a 10,000 square foot addition to the already existing church building at 3200 Delta River Drive with the conditions that a site plan showing access, parking, on-site detention of storm water, and landscape, screening and buffering be submitted and approved by all necessary agencies.

BE IT FURTHER RESOLVED that this Special Land Use shall not be effective and/or shall only remain in effect if the Petitioner fully complies with all of the conditions set forth above in this resolution and if the Petitioner executes an agreement evidencing the Petitioner's understanding of the conditions and the effect if the Petitioner does not comply with the conditions set forth above in this resolution.

BE IT FINALLY RESOLVED, the City Council, in making this decision has reviewed the Planning Board report and recommendations and has held a public hearing at which one person spoke in favor and no one spoke in opposition to the proposed special land use and has determined the following:

1. The church development will neither change the single family residential character of the area, nor interfere with the general enjoyment of the adjacent property.

2. The proposal will represent an improvement to the use and character of the subject property and the surrounding area in general, and will be in keeping with the natural environment of the lot.

3. The special land use will not be hazardous to adjacent properties through the excessive production of traffic, noise, smoke, odor, fumes or glare.

4. The development can be adequately served by essential public services and will not place demands on public services in excess of current capacity.

5. The special land use is consistent with the intent and purpose of the Zoning Code and Master Plan and meets the dimensional requirements of the "A" Residential Zoning District for churches.

By Councilmember Lilly

To hold this item until the passage of ordinances has taken place

Carried unanimously

By Councilmember Lilly –

To place an affirmative roll on the resolution, said resolution to take effect 30 days from today when the corresponding rezoning ordinance takes effect

Carried unanimously

RESOLUTION #625
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, pursuant to Act 28, Public Acts of 1977 of the State of Michigan, the Michigan Department of Social Services has notified the City of Lansing of its intent to license an adult foster care group home for a maximum of six adults at 616 West Shiawassee Street, and more particularly described as:

West 2/3 Lots 5 & 6; also E ½ Lots 7 & 8, Block 77, Original Plat, City of Lansing, Ingham County, Michigan.

WHEREAS, upon review of the application notice, the Department of Planning and Neighborhood Development found that:

1. The use of this facility as a foster care home preceded the City's regulation of them. As such, it had maintained a Class "B" Nonconforming status.

2. In 1990, the Planning Board granted the property at 616 West Shiawassee Street Class "A" status after review of the owner's request in anticipation of State licensing.

WHEREAS, the property's Class "A" status would permit the placement of up to nine (9) adults at 616 West Shiawassee Street, and

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

WHEREAS, the proposed license, if issued, would permit the placement of up to six (6) adults at 616 West Shiawassee Street, and

WHEREAS, the Mayor and the Department of Planning and Neighborhood Development recommend approval of the license, and

WHEREAS, the Physical Development Committee of the Lansing City Council, to whom the report of the Department of Planning and Neighborhood Development was referred, has reviewed the report and recommends the approval of a license;

NOW, THEREFORE, BE IT RESOLVED that the Council of the City of Lansing determines that the property at 616 West Shiawassee Street has a Class "A" nonconforming status and, therefore, recommends the approval of a license for adult foster care group home for a maximum of six (6) adults at 616 West Shiawassee Street;

BE IT FINALLY RESOLVED that the Department of Planning and Neighborhood Development return the application notice to the Michigan Department of Social Services, attaching this resolution.

By Councilmember Lilly

To place an affirmative roll on the resolution, said resolution to take effect 30 days from today when the corresponding ordinance takes effect

Carried unanimously

RESOLUTION #626
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, pursuant to Act 28, Public Acts of 1977 of the State of Michigan, the Michigan Department of Social Services has notified the City of Lansing of its intent to license a Foster Family Group Home to provide shelter and care for a maximum of six (6) foster children upon the premises commonly known as 1615 W. Ottawa Street, more particularly described as:

Lot 139 McPherson's Inverness Subdivision, City of Lansing, Ingham County, Michigan.

WHEREAS, upon review of the application notice, the Department of Planning and Neighborhood Development found that:

1. There are two other state licensed residential facilities existing within 1,500 feet of this proposed facility, and

2. The property is presently developed with a single family residential structure, and

WHEREAS, the City filed a lawsuit regarding the subject matter of the state licensing of residential facilities in the City of Lansing entitled *City of Lansing v Michigan Department of Social Services and Peckham Vocational Industries, Inc.,* in Ingham County Circuit Court, and

WHEREAS, said case has been concluded and the Honorable Thomas L. Brown, Circuit Judge, has ruled that the State of Michigan cannot locate such residential facilities within 1,500 feet of one another without there being an impermissible excessive concentration thereof, and

WHEREAS, the Department of Planning and Neighborhood Development has given appropriate notice of the proposed licensed residential facility to City residents within the vicinity of the proposed site, and

WHEREAS, the Mayor recommends denial of the application to license a Foster Family Group Home at 1615 W. Ottawa Street, and

WHEREAS, the Physical Development Committee of the Lansing City Council, to whom the report of the Department of Planning and Neighborhood Development was referred, has reviewed the report and recommends the denial of a license;

NOW, THEREFORE, BE IT RESOLVED that the City Council determines that pursuant to the case of *City of Lansing v Michigan Department of Social Services, et al,* the licensing of 1615 W. Ottawa as a Foster Family Group Home must be denied;

BE IT FINALLY RESOLVED that the Department of Planning and Neighborhood Development return the application notice to the Michigan Department of Social Services, attaching the final Order of Judgment in the case of *City of Lansing v Michigan Department of Social Services, et al,* along with this resolution indicating that this proposed facility is located less than 1,500 feet from two other existing state licensed residential facilities and, therefore, pursuant to the permanent injunction issued against the State Department of Social Services, this application for license must be denied by the State.

By Councilmember Lilly

Carried unanimously

RESOLUTION #627
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT
ACT-18-93

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Lawrence and Janet Ozanich, owners of 2611 Northwest Avenue, have requested a reduction in the City of Lansing's drain easement by 1.5 feet along their north property line to allow for an existing encroachment of their house into the easement; and

WHEREAS, the Planning Board has reviewed the request under the provisions of ACT 285 of Michigan P.A. of 1931, there does not appear to be any objection to the granting of Mr. and Mrs. Ozanich's request, and unanimously recommends that the request be approved; and

WHEREAS, the approved minutes of the Planning Board regarding this matter are on file with the City Clerk, and

WHEREAS, the Mayor concurs in the recommendation of the Planning Board, and

WHEREAS, the Physical Development Committee has reviewed the Planning Board recommendation and concurs with said recommendation, and

NOW, THEREFORE, BE IT RESOLVED that the City Council approves the request of Mr. and Mrs. Ozanich to release from the City's aforedescribed drain easement the 1.5 feet of their encroachment by their house into the City's drain easement at 2611 Northwest Avenue for One Dollar consideration, and

BE IT FINALLY RESOLVED that the Mayor, on behalf of the City of Lansing, is authorized to sign and execute all necessary documents to effectuate the aforestated transaction, subject to the prior approval of the document as to form by the City Attorney.

By Councilmember Lilly

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Carried Unanimously

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT:

BY COUNCILMEMBER LILLY:

That we proceed to the passage of Ordinances

BY COUNCILMEMBER LILLY:

That Ordinances, when read, be considered as being read in their entirety

BY COUNCILMEMBER LILLY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-07-93, 913, 915, 917 & 921 W. Allegan Street, be placed on order of immediate passage.

BY COUNCILMEMBER LILLY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-07-93, 913, 915, 917 & 921 W. Allegan Street, be now passed.

YEAS: COUNCILMEMBERS BEAL, BELEN, BENAVIDES, BROCKWELL, CANADY, FORD, LILLY, SCHMIDT

NAYS: NONE

ABSENT: NONE

ORDINANCE #2362

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted and incorporated as section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

Case Number: Z-7-93, 913, 917 & 921 W. Allegan Street

Parcel Number: 3301-17-428-301, -311, -321, and -331

Legal Description: Lots 4 and 5, Block 11, Bush, Butler & Sparrow's Addition, City of Lansing, Ingham County, Michigan

From "C" Residential District to "D-1" Professional Office District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

MARILYNN SLADE, CITY CLERK

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT:

BY COUNCILMEMBER LILLY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-08-93, 927, 1001 & 1007 W. Allegan Street, be placed on order of immediate passage.

BY COUNCILMEMBER LILLY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-08-93, 927, 1001 & 1007 W. Allegan Street, be now passed.

YEAS: COUNCILMEMBERS BEAL, BELEN, BENAVIDES, BROCKWELL, CANADY, FORD, LILLY, SCHMIDT

NAYS: NONE

ABSENT: NONE

ORDINANCE #2363

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted and incorporated as section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

Case Number: Z-8-93, 927, 1001 & 1007 W. Allegan Street

Parcel Number: 3301-17-428-351, -361, and -371

Legal Description: The West 26 feet of Lot 6, 7 and the east 22 feet of Lot 8, Block 11, Bush, Butler & Sparrow's Addition, City of Lansing, Ingham County, Michigan

From "C" Residential District to "D-1" Professional Office District.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

MARILYNN SLADE, CITY CLERK

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT:

BY COUNCILMEMBER LILLY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-09-93, 3200 Delta River Drive, be placed on order of immediate passage.

BY COUNCILMEMBER LILLY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

code for property located at Z-09-93, 3200 Delta River Drive, be now passed.

YEAS: COUNCILMEMBERS BEAL, BELEN, BENAVIDES, BROCKWELL, CANADY FORD, LILLY, SCHMIDT

NAYS: NONE

ABSENT: NONE

ORDINANCE #2364

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To change the zoning classification on the property described as follows:

Case Number: Z-9-93, 3200 Delta River Drive

Parcel Numbers: 3301-06-328-041, -051

Legal Description:

Beg. 317 feet. S.0°23'E. and 175.5 ft. N.89°40'W. of center of Sec. 6; TH. N.89°40'W. 236.94 ft.; TH. N., 115 ft.; TH. W. 50 ft.; TH. S., 53.4 ft.; TH. SWly on a 50 foot radius curve concave to right, 52.36 ft,; TH. SWly on a 50 foot radius curve concave to the left, 26.18 ft.; TH. W., 190.56 ft.; TH. S. 93.23 ft.; TH. S.66°56'30"E., 92.38 ft., TH. S.21°34'30"W., 114.51 ft.; TH. SEly along North line of Delta River Drive to the Wly line of Morningside Drive; TH. N. 19°50'25"E., 216.65 ft.; TH. N.0°23'W., 174.70 ft. to point of Beg., City of Lansing, Ingham County, Michigan.

from "A" Residential, "B" Residential and "J" Parking Districts to "A" Residential District

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

MARILYNN SLADE, CITY CLERK

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Belen; a request that the rules be suspended to allow for a Special Ceremony to accept a tribute for the National Nite Out Celebration

THE RULES WERE SUSPENDED AND POLICE CHIEF BOLES AND OFFICER GLASSCOCK PRESENTED A COMMEMORATIVE PLAQUE TO PRESIDENT CANADY AND MAYOR CRAWFORD DURING THE SPECIAL CEREMONIES PORTION OF THE AGENDA

2/ From Councilmember Lilly; a request that the rules be suspended to allow for a Special Ceremony regarding the Lansing Youth and Recreation Fund

THE RULES WERE SUSPENDED AND MAYOR CRAWFORD, KRIS NICHOLOFF AND JACK SIEBOLT MADE A PRESENTATION REGARDING THE LANSING YOUTH AND RECREATION FUND

3/ From Councilmember Benavides; a letter from the Church of God In Christ regarding false alarm fines assessed against the Church

REFERRED TO THE MAYOR AND THE COMMITTEE ON GENERAL SERVICES

4/ From Councilmember Benavides; a report from the Internal Auditor regarding the results of the Early Retirement Plan

GREGG KOESSEL, INTERNAL AUDITOR OF THE CITY OF LANSING, GAVE AN ORAL PRESENTATION BASED ON A REPORT FROM GABRIEL, ROEDER, SMITH & COMPANY, ACTUARIAL FIRM FOR THE CITY OF LANSING REGARDING THE CITY'S EARLY RETIREMENT INCENTIVE PLAN

5/ From Councilmember Ford; a Committee Report from the Committee on General Services and the Committee on Public Services regarding Charles Young and the City Market

HANDLED AS RESOLUTION #617

MAYOR'S COMMENTS

Mayor Crawford said that the City filed grant applications today to receive $75,000 from the Ford Foundation. He announced the Veteran's Day Parade to be held Saturday, November 6, 1993. The City, he said, has reached an agreement with the State of Michigan for the transfer of Comstock Park and Grosbeck Golf Course back to the City's ownership. His office has received a number of calls regarding Proposal B on tomorrow's ballot. He explained that the city is not selling the park, just a narrow strip at the edge, which is a hilly patch of trees and shrubs to accommodate the adjacent property owner who built a portion of their garage on park land through a mistake. He encouraged everyone to get out and vote tomorrow.

COUNCILMEMBER'S COMMENTS

Councilmember Belen reported that the Ad Hoc Committee on Ethics Board Opinion #20 met with the attorneys and they did approve item #13 from their agenda. Most of the items being prepared for Ingham County Prosecutor, Donald Martin are ready to go.

Councilmember Brockwell reminded viewers that raking your leaves into the streets in the City of Lansing is a violation of the Code of Ordinances. This causes all kinds of problems with the sewer system and you can be fined.

Councilmember Schmidt reported large pot holes at the intersection of Riley and Devonshire and asked that the Mayor's office look into making sure that Stop Signs and Truck Route Signs affected by construction of the CSO project are being replaced. The signs at the corner of Lindbergh and S. Pennsylvania have been taken down and trucks are beginning to use Lindbergh. She talked to Dave Berridge about the problem three weeks ago, but the sign is still laying face down in the street.

PUBLIC COMMENTS

Lee Shunk, Jr. of 601 Leslie St. suggested that the Police Department increase the proportion of Police Officers to citizenry.

Matthew Bonk of 1015 S. Washington Ave. said he is concerned about the spiritual health of the city. A lot of changes for the City could come about tomorrow and everyone needs to pray for the best to happen. He announced that on Wednesday, November 3, 1993, one year after the election of Bill Clinton as President, there will be a Meeting of Mourning, Repentance, and Prayer at the State Capitol building.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Lloyd Teets of 116 E. Elm St. accused Councilmembers of making political omissions from the Council Agenda for tonight's meeting. He announced his endorsements for tomorrow's election. The endorsements released by the State Journal did not have the City's best interests at heart, he said.

Alexander Bolt of 1230 Reo Rd. said that he believes that the incumbent officeholders will be displaced in tomorrow's election.

Mary Massoglia of 2911 Cooley Dr. announced her endorsements for tomorrow's election.

Cherryl Valleau of 226 S. Eighth St. denounced Mr. Hollister for expecting special consideration for Legislators in terms of traffic and parking tickets and for not supporting legislation to eliminate prostitution.

Douglas Fairbanks of 525 E. Mt. Hope asked everyone to get out and vote tomorrow.

Frank Curtis, X of 4708 Ingham announced his endorsements for tomorrow's election.

Ken Vaughan of 114 Garden St. told everyone that tomorrow they have an opportunity to change their future for the better. The Concerned Citizens to Save Lansing group asks everyone to vote only for candidates that are not already on the city payroll.

Steve Harry of 3125 Tecumseh River, President of Concerned Citizens to Save Lansing, said he is not here to speak for them. He supports Marilynn Slade in her bid for election. Her opponent, Sue Eby, made serious and false allegations about her and he is here to refute them.

Betty Kost of 1425 McIntyre Ct. said that the letters of complaint about Jim McCue contain false allegations. She checked these allegations out with Henry Hernandez, Chief Building Inspector for the City of Lansing, all charges against McCue were dismissed.

Gladys Gillison of 223 W. Barnes said that she did not know Bea Christy, however, she was a wonderful, generous person. Councilmember Brockwell, in his actions tonight, took money away from Bea Christy's granddaughter.

Jim White of 4010 Rivershell said that he feels he is the victim of harassment and racial discrimination by Jack Nelson of the Building Department. All Councilmembers have to do, at any given time, is walk into the Building Department and they will see employees acting unprofessionally. They throw spitballs, make paper airplanes and laugh and horse around. By motion of Councilmember Ford and unanimous vote of Council Mr. White was given one additional minute to complete his comments. The Building Department is being laughed at, said Mr. White, and the Manager is doing nothing about it. He accused Mr. Nelson of having him followed and having his wife, kids and home photographed.

Councilmember Schmidt asked if Mr. White has filed a complaint with the Personnel Department. She has been to the Building Department many times and has never seen this kind of behavior. These kinds of comments bother her. The city depends on the Code Enforcement Officers and their activities to handle problem situations for it. It is unusual to have someone come to Council with accusations like these without following the procedure for filing complaints.

Councilmember Ford asked Mayor Crawford to have the Human Relations Department investigate Mr. White's complaints and report back to Council about them.

Mayor Crawford said that each of these charges will be investigated and a report will be given in committee.

Councilmember Brockwell said that he has never seen the type of behavior described by Mr. White take place in the Building Department. He knows Jack Nelson and believes him to be a fine individual. He is aware of an ongoing situation with Mr. White and thinks him to be bitter about it. However, now that the complaints have been stated, this will all come out in the open and a report will be forthcoming.

Council President Canady stated that he has been fielding a lot of complaints about the Building Department. He asked Mr. White to prepare a comprehensive memo stating the problems he has experienced and give it to him to be properly channeled.

Lewis Pothoff of 1712 W. Miller Rd. urged everyone to get out and vote tomorrow. Of the City's 127,000 citizens, approximately 80-85 thousand of them are registered to vote. The American Indian, he said, deserves financial help from the City, however, he is not aware of any help being given to them.

Shane Powers of 1925 Mary Ave. said that he, too, has problems with the Building Department. He accused a City of Lansing Building Inspector and a candidate for the City Clerk's Office of harassing his father. Sue Eby and Jim McCue forced his father to sell his buildings. He is the one his father sold his building to and he will not stand for the harassment his father took from these two.

Dale Johnson of 1015 S. Washington said he has a problem with people coming to Council with a racial ax to grind. He has been told that Mr. Hollister was a supporter of the CSRC and either attended their Board meetings personally or sent his staff members to attend in his absence.

Jon Addis of 1607 S. Cedar, Chairman of Operation Clean Sweep, said that Councilmember Belen did remove herself from the General Retirement System. When she did she went into the Money Purchase Plan. This made her eligible for payment of over $9,000 plus payment of medical expenses for the remainder of her natural life. This created a conflict of interest on her vote for early retirement. Hollister, he said, is a liberalist in favor of socialism. Crawford is a conservative. Councilmember Lilly moved to give Mr. Addis additional time to complete his comments. Motion failed by the following roll call vote:

YEAS: Councilmembers Benavides, Lilly

NAYS: Councilmembers Belen, Brockwell, Canady, Ford, Schmidt

ABSENT: Councilmember Beal

Russell Greear of 3801 Walton said that Mr. Hollister believes in protecting the handicapped population, Mr. Crawford does not - he only cares about 20% of the population. He said that Hollister will go up here and do something for the homeless population.

Alma Miatech of 915 Tisdale said she received a visit from a City of Lansing Detective today. She stated that she would never threaten anyone. She does not have to take that kind of avenue. She did not threaten Mayor Crawford.

Charles Young of 1543 Richwood thanked Council for trying to help he and his wife in their efforts to do business with the City Market. He encouraged Councilmember Benavides to make contact with

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

the hispanic person who had a complaint similar to the Young's.

Elizabeth Barnhill of 1715 Martin said that she would not own her home if Jim McCue of the Building Department had not closed it down as a drug house. The problems they are hearing about involving McCue are probably because property owners have problems keeping their houses up to code. He has a tough job. She hopes Council will take her comments into consideration, conduct a careful investigation, and be fair.

Paget Maynard of 902 W. Shiawassee wished luck to all candidates. There were inconsistencies in the way the public commentors were treated last week. He wants to see everyone treated fairly. He does not like to see Councilmembers arguing with the public and asked them to restrain themselves and use more decorum.

Hulon T. Benson of 1018 W. St. Joe announced his endorsements for tomorrow's election.

Paul Scott of 412 W. Kilborn announced his endorsements for tomorrow's election and the reasons for his choices.

Ammahad Shekarakki of 902 W. Willow urged everyone to get out and vote tomorrow. It does not cost anything. It is especially important for blacks to get out and vote. People have lost their lives and spilled blood to insure this freedom.

Harold Leeman of 529 N. Francis asked if the report given by the Internal Auditor tonight went to the Committee on Ways and Means. He requested that there be no editorializing during the broadcasting of election results tomorrow night. He asked Councilmember Ford to explain more about the claim on tonight's agenda. Is this a lack of communication?

Councilmember Ford said it is not a lack of communication. The Ingham County Register of Deeds is responsible for filing this information with the City when they receive it. That is the process they want to look at because it takes too long.

Bruce Lankheet of 606 Bunker Rd. said that the early retirement was necessary to prevent a large deficit. There are a lot more important issues facing the city. He urged voters not to believe the lies that are coming from Mayor Crawford's opponent. He said that Mr. Hollister should ask the victims of violent crime how they feel about a holistic approach to fighting crime. Crawford is a firm supporter of the Police Department and has been a breath of fresh air in how they were treated at the bargaining table. By Motion of Councilmember Benavides and a 5/2 vote of Council Mr. Lankeet was allowed to complete his comments. Gene Wrigglesworth, he said, is not tough on crime. He knows because he worked with him.

ADJOURNED 9:55 P.M.
MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, November 8, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
November 8, 1993

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by Vice-President Brockwell

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Ford, Lilly, Schmidt

ABSENT: Council President Canady

The Invocation and Pledge of Allegiance was led by Councilmember Benavides

CONSIDERATION OF LATE ITEMS

By Councilmember Ford

To accept the following under suspension of the rules:

1 / From Councilmember Ford; a Resolution approving Transfer of a Class C license for Esquire, Inc.

Carried unanimously

SCHEDULED PUBLIC HEARINGS

There were no Scheduled Public Hearings

PUBLIC COMMENT

Lloyd Teets of 116 E. Elm St. spoke in opposition to the amendment to the Wastewater Treatment Rate ordinance. He disclaimed the credibility of the Black & Veatch study saying that it was written for a special interest group, by a special interest group and gives little people the shaft. This Council should not be approving this ordinance. They should wait until the new team takes office and let them take care of this.

Douglas Fairbanks of 525 E. Mt. Hope Ave. inquired about the change of intent for the Police Department.

Joe Maguire of 1623 Woodside spoke in support of the Wastewater Treatment Rate Ordinance on behalf of the Industrial Council. This is important for the City. If the City does not act on this prior to the end of the year, they could loose $200,000 per year for the next 40 years in subsidies from the state.

Lewis Pothoff of 1712 W. Miller Road spoke in opposition to the ordinance that requires taxi cab drivers to acquire a Public Drivers License from the City. He spoke in opposition to the wastewater treatment rate ordinance.

Harold Leeman of 529 N. Francis spoke regarding the cost of the two blowers for the Parks and Recreations Department, saying the price seems high to him.

Russell Greear of 3801 Walton Dr. spoke in opposition to the wastewater treatment rate ordinance.

COMMUNICATIONS AND PETITIONS

By Councilmember Benavides

That Communications and Petitions be considered as being read in full and that the proper referrals be made by Vice-President Brockwell

Carried unanimously

A. Notice from the State of Michigan Department of Social Services of the closing of Adult Foster Care Facilities at 204 E. Mt. Hope and 6040 Loretta

REFERRED TO THE MAYOR

B. Notice from the State of Michigan Liquor Control Commission of:

1. Application for Transfer of ownership of a 1993 SDD-SDM License from Paul La Macchia to Mac's Pipe & Liquor Store, Inc.

REFERRED TO THE MAYOR

2. Cancellation of request to Transfer Location of 1993 Class C License by Ram Star Group Corp. from 305 River St. to 1303 W. Holmes

RECEIVED AND PLACED ON FILE

3. Cancellation of request for New Entertainment Permit by K.L.C., Inc. at 1526 S. Cedar

RECEIVED AND PLACED ON FILE

4. Notice of a Public Hearing for the purpose of receiving comment regarding MCL 436.7, the Michigan Liquor Control Act

REFERRED TO THE MAYOR

C. Revised Financial Statement and Independent Auditors Report Thereon for Year Ended June 30, 1993 submitted by Outside Auditors KPMG Peat Marwick

REFERRED TO THE MAYOR, THE INTERNAL AUDITOR, AND THE COMMITTEE OF THE WHOLE

D. Letter from Alma L. Miatech of 915 Tisdale regarding the results and ramifications of the November 2, 1993 Odd Year General Election

RECEIVED AND PLACED ON FILE

E. Traffic Control Request from Mary & John Patenge of 126 W. North St. for Dwight St. & James, Dwight, or, Dwight & Washington

REFERRED TO THE MAYOR AND THE TRAFFIC BOARD

F. Letter from 54-A District Court regarding a proposed Regional Judicial Assistance Program

REFERRED TO THE MAYOR AND THE COMMITTEE ON WAYS AND MEANS

G. Request from Attorneys on behalf of Miller's American Rentals for an Ordinance Amendment that would allow them to dispose of their portable toilet septage at the Lansing Waste Water Treatment Plant

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

REFERRED TO THE MAYOR AND THE CITY ATTORNEY

H. Ingham County Circuit Court Annual Report FY 1992

RECEIVED AND PLACED ON FILE

I. Letter from Harold Leeman of 529 N. Francis regarding a conflict of interest issue between Councilmember Belen and George Brookover

REFERRED TO THE BOARD OF ETHICS

MAYOR'S COMMENTS

Mayor Crawford outlined his letters on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. REFERRALS:

Public Driver (2)
Transfer of Class C (1992)

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of November 1, 1993 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the Mayor re:

1/ Trash Violation Fee—$1,386.03

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

2/ Change of Intent—Golf Fund

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

3/ Traffic Control Request; Lowcroft Ave. & Rouse St.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

4/ Traffic Control Request; Irvington Ave. & Wildwood Ave. & Irvington Ave. & Southgate Ave.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

5/Traffic Control Request; Maryland Ave. & Sheldon Ave.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

6/ Traffic Control Request; Newark Ave. & Piper Ave.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

7/ Parking Regulation Change; Cavanaugh Rd.

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

8/Network and Personal Computers for December 6, Centralized Registration

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

There are no Committee Reports

RESOLUTIONS

RESOLUTION #628
BY COUNCILMEMBER FORD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Clerk has forwarded applications for public driver licenses submitted by Gary Dewain Stowe, Matthew Thomas Wernette, Benjamin Wailes Harlan and Chris Antieau to City Council; and

WHEREAS, the applications have been referred to the Committee on General Services; and

WHEREAS, the Council has discharged the Committee on General Services from further review of said applications; and

WHEREAS, the Clerk has informed the Council that the required fees to process the public driver applicants have been paid in full and are non-refundable; and

WHEREAS, the Police Department has reviewed the public driver applications by Gary Dewain Stowe, Matthew Thomas Wernette, Benjamin Wailes Harlan and Chris Antieau and recommends approval; and

WHEREAS, the Council has reviewed the applications and concurs in the recommendations of the Police Department;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the following applications for public driver licenses:

PUBLIC DRIVER: Gary Dewain Stowe, Matthew Thomas Wernette, Benjamin Wailes Harlan, Chris Antieau

By Councilmember Ford

To discharge the Committee on General Services on this item

Carried unanimously

By Councilmember Ford

To place an affirmative roll on the resolution

Carried unanimously

RESOLUTION #629
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Parks and Recreation Department, with the Mayor's and Finance Department's concurrence, have requested a change of intent for purchase of two leaf blowers; and

WHEREAS, removal of leaves from golf courses is necessary to protect turf and greens from damage over the winter months; and

WHEREAS, one leaf blower at the golf courses is inoperative and would cost nearly full replacement cost to repair, while a second is recommended to be replaced in the current fiscal year due to deteriorating mechanical conditions; and

WHEREAS, the $1,150 cost for replacement of two leaf blowers is available in the Golf Fund equipment account (584-783850-977000-0) due to savings from purchases of other equipment items; and

WHEREAS, under the City Council's Budget Monitoring Policy, purchase of equipment which was not originally included in the adopted Budget, and the cost of which exceeds Charter transfer authority, requires approval of a change of intent by City Council;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approves the Mayor, the Parks and Recreation Depart-

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

ment and Finance Department's request for a change of intent to purchase two leaf blowers for a total of $1,150 which funds are to be expended from the Golf Fund Equipment account.

By Councilmember Benavides

Carried unanimously

RESOLUTION #630
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Police Department Radio Lab copier is used by both Radio Lab personnel and Uniform Patrol officers working out of the south-end report writing center; and

WHEREAS, the Police Department Radio Lab copier can no longer be repaired due to the age of the unit; and

WHEREAS, the Mayor, Finance Department and Police Department have requested a change of intent to use residual equipment funds totaling $94.00 in the Radio Lab equipment account (A/C 101-343222-977000-0); and

WHEREAS, additional funds totalling $506.00 are available for transfer to the Police Lab equipment account from other Police Department operating accounts, in order to purchase a replacement copier for a total amount of $600.00; and

WHEREAS, approval of a change of intent is required pursuant to the City Council's Budget Monitoring Policy, purchase of the copier was not originally included in the adopted Budget for the 93/94 fiscal year, and the cost to purchase the copier exceeds the Charter executive transfer authority;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council approves the Police Department request for a change of intent to purchase a replacement copier for $600.00 from the Police Radio Lab Equipment Account 101-343222-977000-0.

By Councilmember Benavides

Carried unanimously

RESOLUTION #631
BY COUNCILMEMBER FORD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Esquire, Inc. (Kenneth M. Schulz, stockholder), has applied to the Michigan Liquor Control Commission to transfer ownership of a 1992 Class C licensed business with Dance-Entertainment Permit located at 1250 Turner Street, from PAR-DI, Inc.; and

WHEREAS, the City Clerk has reported that the non-refundable application fee has been paid by the applicant; and

WHEREAS, the appropriate City staff has reviewed and approved the application;

NOW, THEREFORE, BE IT RESOLVED that the request from Esquire, Inc. (Kenneth M. Schulz, stockholder), has applied to the Michigan Liquor Control Commission to transfer ownership of a 1992 Class C licensed business, with Dance-Entertainment Permit located at 1250 Turner Street, from PAR-DI, Inc. is hereby recommended for approval.

By Councilmember Ford

Carried unanimously

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCE
WASTEWATER TREATMENT RATES

By Councilmember Benavides

That an ordinance to amend the Code of ordinances of the City of Lansing by Amending Chapter 1042, Section 1042.04, for the purpose of maintaining certain rates and charges EFFECTIVE JANUARY 1, 1994 for services furnished by the City Sewage Disposal System as adopted by City Council on June 28, 1993 and readopted by City Council on September 7, 1993 and deleting the automatic expiration date of the ordinance, was introduced by Councilmember Benavides and referred to the Committee on Public Services.

RESOLUTION #632
RESOLUTION SETTING PUBLIC HEARING

By Councilmember Benavides

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, November 22, 1993 at 7:00 P.M. in the Council Chambers, 10 Floor, City Hall, 124 W. Michigan Ave., for the purpose of considering an ordinance to amend the Code of ordinances of the City of Lansing by Amending Chapter 1042, Section 1042.04, for the purpose of maintaining certain rates and charges EFFECTIVE JANUARY 1, 1994 for services furnished by the City Sewage Disposal System as adopted by City Council on June 28, 1993 and readopted by City Council on September 7, 1993 and deleting the automatic expiration date of the ordinance

Interested persons are invited to attend this public hearing

By Councilmember Benavides

Carried unanimously

ORDINANCES FOR PASSAGE

There were no Ordinances for passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Ford; a Resolution approving Transfer of a Class C license for Esquire, Inc.

HANDLED AS RESOLUTION #631

MOTION OF EXCUSED ABSENCE

By Councilmember Schmidt

To excuse Council President Canady from tonight's meeting

Carried unanimously

MAYOR'S COMMENTS

Mayor Crawford thanked everyone who supported him in his bid for election to the Mayor's Office. He assured Council and the public that his administration is working very smoothly with the incoming administration to insure a smooth transition. What the voters said last week is a reflection of what they want for the future, not a reflection on the services that have been offered in the past, he said.

COUNCILMEMBER'S COMMENTS

Councilmember Belen thanked everyone who voted for her. She has received a number of letter and calls expressing thanks for the service she has given the City.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Councilmember Schmidt thanked everyone who has called/written with their thanks to her for the service she has given to the City for the last 12 years. She has made a lot of friends in that period of time. She said that she hopes that the service level given to the residents of the second ward remains as high as she has maintained it. She has ongoing concerns about the Sablain/Soloman Pits, Edgewood Blvd. the Forest Road Bike Path, and the Community Hall to be built in the Southeast section of the city to provide meeting space for the seniors and youth of the city. She reminded everyone that Thursday is Veteran's Day. Anyone with questions or concerns about the future may bring them to her to be forwarded to her successor.

Councilmember Lilly thanked everyone who voted for him for their confidence and for allowing him to serve them for the next four years. He announced that the Committee on Physical Development will not meet this Thursday because City Hall will be closed in observance of Veteran's Day. He has enjoyed the time he has spent on Council with the current representatives.

Councilmember Ford thanked his constituents. He thanked Councilmember Belen for making an impression on him at the first Council meeting he ever attended, when he was in the 6th grade. He commended Councilmember Schmidt for the hard work and dedication she has provided to the members of her ward. He has learned a lot from her in his 4 years on Council. She spends more hours here than everyone else combined. Mayor Crawford has done a good job this past year, it is a very tough job, and he took it on in the midst of a tremendous controversy in the city. He has created police sub-stations and brought middle school athletics back. This speaks well of the creative juices flowing in City Council meetings. He is proud of this council and of this administration for implementing programs that are good for the citizens of the City. He congratulated Paul Novak for his successful campaign, he will be working closely with him in the next few weeks to insure a smooth transition. He hopes that a public/private partnership can be arranged for the civic arena.

Councilmember Benavides said that these are exciting, but scary, times. He is the only incumbent left from the councilmembers that took office with him in 1982. He is looking forward to the challenge of working with the new team and hopes they can deliver what the public wants.

Councilmember Beal said she received a call from Willie Davis last Friday night at 12:30 at night. They are still having a lot of problems with crack houses in his neighborhood. She asked Mayor Crawford to look into this. She noted that there are a number of people in the audience tonight from the Walnut Street Neighborhood Association. This issue has come back to haunt them like some other issues they have passed. These people are here to object to two houses being demolished in their neighborhood in connection with the Emmanuel Lutheran Church expansion. These houses were to have been moved. Neither she, nor Councilmember Ford, voted for this. The process was not good and now this neighborhood is mad. Council should not have tried to substitute house moving for demolition. They would not have voted for demolition of these homes and should not have voted to move them as a substitution to demolishing them.

Councilmember Lilly said Council should be voting on issues based on facts not emotions. Maybe this process needs to be looked at carefully. He is aware of other improprieties going on within the process. The Physical Development Committee will examine the process carefully, and if necessary, will make recommendations to Council. This policy has to be looked at in a comprehensive manner. This particular neighborhood has the largest amount of vacancies in the entire city, 14.6% of their housing units are vacant according to the census tracts. You cannot continue to put new housing up in this area without taking units out. Furthermore, 77% of the housing units in this area are rentals. They were trying to create home ownership in this area. There were other reasons behind the scenes, that caused this project to fail. He pointed out that any house the city has ever moved has cost more than the value of the home to do so. These decisions must be based on all of the facts not just one side.

Marilynn Slade, City Clerk thanked everyone who voted for her last Tuesday. She has enjoyed her time in public service after many years in the private sector. She thanked the Mayor, Council, and everyone at City Hall who has helped her learn the ropes and given her a lot of support in the last 4 years.

Council Vice-President Brockwell announced that the Physical Development Committee, and Public Services Committee have both canceled their meetings for this week. The Committee of the Whole meeting will be held tomorrow at 5:00 P.M.

PUBLIC COMMENTS

William Bernstein of 420 Baker St. said that he has the right to exercise his first amendment rights to freedom of speech.

Charles Young of 5747 Richwood thanked Council for sending a Committee Report to the Board of Directors of the City Market. They will meet November 10, 1993 at 8:00 A.M. He will be attending their meeting to speak on behalf of he and his wife. He hopes to be able to return as a vendor at the Market. He encourages everyone who has been displaced by the Market to attend the meeting and voice their opinion.

Lee Shunk, Jr. of 601 Leslie requested that Councilmembers announce the phone numbers that they can be reached at.

Floyd Burns of 103 E. North St. said he has seen a lot of homeless people in the last 5-6 years since he has been in Lansing. He wants to start seeing them being given more help. He reported a problem in the broadcasting of the rerun of last week's meeting.

Frank Curtis of 4708 Ingham said he thinks there are improprieties going on in the Building Department. They are discriminating against Mr. White.

Ken Vaughan of 114 Garden St. said the voters have spoken and will remove the remaining councilmembers, either by recall, or at the ballot box.

Lloyd Teets of 116 E. Elm St. said that he filed a motion for dismissal with Judge Cherry on the charges against him for disturbing a public assembly. Judge Cherry denied his motion and found Council Rule 19 to be a valid exercise of the Council's rights to control their meetings.

Russell Greear of 3801 Walton Dr. said that he hopes the '94 Council will be better to people and treat them with dignity and respect. He hopes that Hollister will right the wrongs this Council has done.

Lewis Pothoff of 1712 Miller Rd. congratulated the winners of last week's election and wished the losers well. He protested the

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

invocation being given at the beginning of Council meetings. Kids cannot pray in public schools, but government meetings can be preceded by prayer. Religion and politics do not mix, he said, they should either eliminate prayers at Council meetings, or allow them to be extended to the school system. He protested the amount of time the Police Department spent in chasing prostitutes out of neighborhoods. They should have been chasing out the drug dealers instead.

Tim Lewis of 500 S. Pine congratulated the winners of last weeks's election and thanked all current office holders for their hard work while serving on Council.

Mary Jo Kerekes, no address given, said she now lives in Laingsburg, however, she is still president of the Walnut Street Neighborhood Association. Today her group went to witness the demolition of a house at 221 Maple Street. Next 225 W. Maple will be demolished. This is being done by an out-of-compliance church that was granted a lot of variances to allow them to expand their church and build a new school. She believes the process to have been flawed in a number of areas. There was a break down in the process. The neighborhood feels they should have been notified by the City that these houses were going to be demolished.

Lynne O'Connor of 1101 N. Capitol criticized the virtue of City government as it relates to her neighborhood. She questioned the virtue of Councilmembers who are elected to represent the citizenry. There is no neighborhood left for her now. It stops quite clearly at the corner of Maple and Sycamore.

Carol Shull of 1108 N. Capitol said she is a member of the Walnut Street Neighborhood Association and that the demolition permit was filed after 221 W. Maple was demolished. Now there has been a permit filed for 1217 W. Chestnut. The neighborhood group had a agreement with the Attorneys for Consumers Power on this property. Emmanuel Lutheran Church does not participate in the rotating sanctuary program. Why could they not have saved these houses to use in participation with this program. There will be more demolitions in her neighborhood, she warned.

Alex Bolt of 1230 Reo Rd. thanked Councilmembers Lilly, Belen, Schmidt and Mayor Crawford. He thanked Councilmember Benavides for acknowledging Sandy Allen tonight.

Richard Lott of 1107 N. Capitol said a house was demolished in his neighborhood today. Lilly's plan is coming unglued and their neighborhood will suffer because of it. They are tired of talking and will file a letter with the Ethics Board to see what can be done about this.

Julie Lott of 1107 N. Capitol said "we lost a house today, how many more will we lose?"

Paul Scott of 412 W. Kilborn read the definition of the word plan from Webster's Dictionary. He protested the proposed demolition of the property at 1217 N. Chestnut, saying the master plan called for the preservation of this property.

Douglas Fairbanks of 525 E. Mt. Hope said that Councilmembers Schmidt and Belen are both winners, regardless of what happened at the election.

Harold Leeman of 529 N. Francis said that the Walnut Street Neighborhood is frustrated. Councilmember Lilly should have stayed here tonight to listen to these comments. Where does the Mayor stand on this issue? They should be able to resolve some of these neighborhood complaints.

Lynne Martinez of 417½ W. Kilborn, Manager of the Franklin Street Housing Cooperative, said they are still working to save a couple of the other houses involved in this project. She does not believe that any city staff members have tried to undermine this project. She will ask her board to take another look at this project to see if there is anything that can be salvaged.

Ed Simmer of 2608 Gier said the voters will be back in two years to get the remaining councilmembers out of office.

ADJOURNED 8:55 P.M.
MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, November 15, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
November 15, 1993

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Canady

PRESENT: Councilmembers Beal, Belen, Benavides, Canady, Lilly, Schmidt

ABSENT: Councilmembers Brockwell, Ford (Councilmember Belen was excused from the meeting at 7:50 P.M.)

The Invocation and Pledge of Allegiance were led by Councilmember Canady

MINUTES

By Councilmember Benavides

To approve the Printed Council Proceedings of October 4, 11 and 18, 1993

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Benavides

To accept the following under suspension of the rules:

1/ From Councilmember Benavides; a Resolution of Tribute to Thomas Hughes

2/ From Councilmember Schmidt; a Resolution approving TCO'S (93) 040, 043, 044, 045, 046, 047, 048, 049, 050, 051, and 052

Carried unanimously

SCHEDULED PUBLIC HEARINGS

There were no Scheduled Public Hearings

PUBLIC COMMENT

Russell Terry of 121 E. Mt. Hope spoke in opposition to the ordinance amending Chapter 830, liquor license requirements. There are bad enough trends developing in our kids these days and if people can buy liquor near churches they will lose respect for the church.

Lloyd Teets of 116 E. Elm St. said that the process of obtaining a public driver's license takes too much time. He declared that the ordinance granting a service fee in lieu of property taxes for the Pennoaks project is inconsistent with the goals of the Physical Development Committee. They are working to achieve owner occupied housing. Councilmember Lilly disagreed. This apartment building is now vacant and will be used as a shelter for homeless, single mothers with dependent children.

Harold Leeman of 529 N. Francis said that he does not agree that the City needs to send judges to 55-A District Court in Mason. The City of E. Lansing is sending their Judges out there, but they are under-used. Let E. Lansing handle this project. Lansing District Court Judges are not under-used and do not have time for this. He requested a report on the denial of George Abraham's claim. He said that when new stop signs are installed, the city should also install signs warning that the stop sign is there.

Priscilla Holmes of 220 Reo Rd., speaking on behalf of the South Central Neighborhood Organization, said that the liquor license ordinance was created for a specific set of circumstances, but, could have much wider implications. It removes the neighborhood's right to enforcement. The ordinance as written appears to give blanket authority to businesses in either direction.

Russell Greear of 3801 Walton Dr. said there should be separation of church and state. Churches should not be able to go up there and horn in on people's good times. He opposes the service charge in lieu of taxes for Pennoaks. If you want to do something for the homeless you should not turn around and tax them for it.

COMMUNICATIONS AND PETITIONS

By Councilmember Belen

That Communications and Petitions be considered as being read in full and that the proper referrals be made by President Canady

Carried unanimously

A. Letter from attorneys on behalf of Stowe Brothers Towing regarding their proposed amendments to the current towing ordinance

REFERRED TO THE MAYOR AND
THE COMMITTEE ON WAYS AND MEANS

B. Letter from Lee Shunk, Jr. of 601 Leslie St. regarding Councilmember's telephone numbers

RECEIVED AND PLACED ON FILE

C. Notices from the State of Michigan Department of Social Services re:

1. Revocation of the Foster Care Small Group Home License of Judith and John Day at 3431 Radford

2. Intent to Refuse Renewal of License for Adult Foster Care Family Home to Polly A. Nolan of 1221 W. Michigan Ave.

REFERRED TO THE MAYOR

D. Application for SLU-13-93, 821-825 Pennsylvania Ave. filed by Ballentine Stepping Stones Non-profit Housing Corp., Inc. to allow for development of a child day care program in association with their Transitional Housing Facility for single, homeless women with children

REFERRED TO THE MAYOR AND THE PLANNING BOARD

E. Petition for Z-10-93, 1208, 1210, 1212 Turner St. request to be rezoned from "H" Light Industrial to "G-1" Business District filed by the City of Lansing Development Division (Administrative Rezoning)

REFERRED TO THE MAYOR AND THE PLANNING BOARD

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

F. Letter from Arthur DeLau submitting 758 signatures for inclusion into a petition submitted at the October 18, Council meeting; requesting a raise in the minimum retirement benefits paid to retired Firemen/Policemen and/or their surviving spouse, and requesting a 13th check for all retirees

REFERRED TO THE MAYOR,
THE POLICE & FIREMEN'S RETIREMENT SYSTEM AND
THE COMMITTEE ON WAYS AND MEANS

G. Letter from Mary Haney and Ken Vaughan requesting the reinstatement of Bruce Ferguson to the Lansing Police Department

REFERRED TO THE CITY ATTORNEY

MAYOR'S EXECUTIVE ASSISTANT'S COMMENTS

Mr. Frazier outlined Mayor Crawford's letter on tonight's agenda regarding the selection process for Community Policing Areas.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. REFERRALS:

Public Driver (3)

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of November 8, 1993 for Review

RECEIVED AND PLACED ON FILE

C. Letter from the City Attorney re:

1/ City of Lansing v Lloyd Teets (failed to register)

2/ City of Lansing v Lloyd Teets (Disrupting a Public Meeting)

RECEIVED AND PLACED ON FILE

D. Letter from the City Market submitting First Quarter Financial Statements

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

E. Letters from the Mayor re:

Selection Analysis, Community Policing Areas

REFERRED TO THE COMMITTEE ON PUBLIC SAFETY

COMMITTEE REPORTS

RESOLUTION #633
REPORT OF COMMITTEE
THE COMMITTEE ON GENERAL SERVICES, to whom was referred the letter from Marshall Hudson, on behalf of the Lansing Church of God in Christ, regarding billings by the City in the amount of $2,574 for police responses to false alarms at the church,

REPORTS AS FOLLOWS: The Committee has determined that this matter should be treated as a claim, and therefore refers the letter to the City Attorney for analysis and recommendation. This report is for information only, and no Council action is required at this time.

Signed: Charles Ford
Alfreda Schmidt
Robert Brockwell

BY COUNCILMEMBER FORD:

That the report of the Committee be received.
CARRIED UNANIMOUSLY

RESOLUTION #634
REPORT OF COMMITTEE

THE COMMITTEE ON WAYS AND MEANS, to whom was referred the regional judicial assistance program submitted by the 54-A District Court;

REPORTS AS FOLLOWS: The Judges of the 54-A District Court have been requested to provide support to the 55th District Court (Mason) in order to alleviate the workload at the 55th District Court. It is planned that each of the six 54-A District Court Judges will travel to Mason one day per month to assist with their docket. Each of the two 54-B District Court (E. Lansing) will also provide two days of assistance per month. The total of ten days of assistance per month is scheduled from January through June, 1994 at which time the need will be re-evaluated. The agreement is reciprocal.

It was reported to the Committee by 54-A Chief Judge Davis and by Court Administrator Larry Theisen that the 55th Court will reimburse the 54-A Court for all personnel costs including both salaries and fringes for staff provided (court recorders, court officers). As judges salaries are primarily paid by the state, the city portion of judges salaries not reimbursed by the county is projected to be $962 annually, or $481 for six months.

The proposed judicial assistance program will not increase currently projected 54-A District Court expenditures, but will result in increased revenues to the City through reimbursement of staff costs.

This report is informational, and no Council action is required.

SIGNED: Tony Benavides
Bob Brockwell
Alfreda Schmidt
COMMITTEE ON WAYS AND MEANS

BY COUNCILMEMBER BENAVIDES:

That the REPORT OF COMMITTEE be received.

CARRIED UNANIMOUSLY
November 15, 1994

RESOLUTIONS

RESOLUTION #635
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, George W. Abraham filed a claim against the City in the amount of $1,023.10 in protest of two special assessments for trash removals by the City from two vacant lots owned by the claimant; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the claimant appeared before the General Services Committee, furnishing testimony in support of the claim; and

WHEREAS, the Committee determined that the claimant was given proper notice of the trash violations, and work may have been done

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

by the claimant to remove the trash within the compliance period but was not completed by the time of the reinspection, and the amount of trash actually removed by the City's contractor could not be substantiated; and

WHEREAS, the Committee recommends that under the circumstances of this particular claim, the City offer to settle the claim by removing one administrative service charge of $190.00, and reducing the contractor's charge by half, leaving a balance of $417.00;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with the recommendation of the Committee on General Services to offer to settle the claim of George W. Abraham by reducing the original $1,023.10 special assessment to $417.00; and

BE IT FURTHER RESOLVED the City Attorney is requested to notify the claimant of this action; and

BE IT FINALLY RESOLVED that if the claimant does not contact the City Attorney to indicate acceptance of this offer by 5:00 p.m. on Friday, December 10, 1993, and in addition subsequently execute the appropriate release, this claim shall be considered denied.

By Councilmember Schmidt

To place an affirmative roll on the resolution

Motion Defeated by the following vote:

YEAS: Councilmembers Belen, Benavides, Lilly, Schmidt

NAYS: Councilmembers Beal, Canady

By Councilmember Benavides

To reconsider the vote on Councilmember Schmidt's motion for affirmative roll

Carried unanimously

By Councilmember Schmidt

To place an affirmative roll on the resolution

Adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Benavides, Lilly, Schmidt

NAYS: Councilmember Canady

RESOLUTION #636
BY THE COMMITTEE OF GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City Clerk has received and forwarded two applications for public driver licenses, to the Lansing Police Department; and

WHEREAS, the two applications for public driver's licenses have been reviewed by the Lansing Police Department and are recommended for approval by the Lansing Police Department; and

WHEREAS, the City Clerk has informed the Council that the required non-refundable fees to process the public driver applications have been paid in full; and

WHEREAS, the Committee on General Services has reviewed the applications and concurs in the Police Department's recommendations that the applications for public driver's licenses be approved;

NOW THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the following applications for a public driver's license:

PUBLIC DRIVER: Jimmie L. Sego, Herbert E. Harrington

By Councilmember Schmidt

Carried unanimously

RESOLUTION #637
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, an at-large vacancy occurred on the Traffic Board June 30, 1993;

WHEREAS, the at-large vacancy has existed for more than 60 days;

WHEREAS, pursuant to the 1978 City Charter, Section 5-103.7, City Council is charged with filling a vacancy on a City Board when the vacancy exists for more than 60 days;

WHEREAS, the Committee on Public Safety, pursuant to Council Rule 210.04 have interviewed Mark Howe, 3509 Palmer Avenue, for the purpose of filling an at-large vacancy on the Traffic Board which vacancy has existed for more than 60 days;

WHEREAS, the Committee on Public Safety is satisfied that Mark Howe meets the City Charter qualifications for appointment to a City Board and recommend that Mark Howe be appointed to fill the at-large vacancy on the Traffic Board;

NOW THEREFORE BE IT RESOLVED the Lansing City Council hereby appoints Mark Howe to the vacant at-large position on the Traffic Board for a four-year term which automatically expires June 30, 1997, unless reappointed and confirmed on or prior to June 30, 1997.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #638
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Traffic Board has reviewed a request to investigate traffic problems such as cut through traffic and excessive vehicle speeds on Vernon Avenue between South Cedar Street and South Pennsylvania Avenue;

WHEREAS, the Transportation Division conducted a study on behalf of the Traffic Board;

WHEREAS, pursuant to Section 2.53(2) of the Lansing Code of Ordinances the Traffic Engineer on July 7, 1993, pursuant to a temporary traffic control order, placed stop signs on Vernon Avenue at the intersection of Vernon Avenue and Southgate Avenue and removed the yield signs on Southgate Avenue at the intersection of Southgate Avenue and Vernon Avenue.

WHEREAS, the Mayor has reviewed the recommendation of the Traffic Board and concurs with its recommendation;

WHEREAS, the approved minutes for the Traffic Board containing the Traffic Board recommendation for this matter are on file with

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

the City Clerk's office;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approves Traffic Control Order No. 93-038 and authorizes the Traffic Engineer to permanently place and maintain the stop signs on Vernon Avenue at the intersection of Vernon Avenue and Southgate Avenue; and

BE IT FURTHER RESOLVED that the Traffic Control Order permitting the placement of yield signs on Southgate Avenue at the intersection of Vernon Avenue and Southgate Avenue be rescinded and the Traffic Engineer remove the yield signs.

BE IT FINALLY RESOLVED that the Traffic Control Order No. 93-038 shall become immediately effective when signed by the Traffic Engineer and filed with the City Clerk.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #639
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Transportation Division received a request from a City resident to install yield signs on Hyland Street at the intersection of Hyland Street and Verlinden Avenue which intersection is currently uncontrolled;

WHEREAS, the matter was referred to the Traffic Board;

WHEREAS, the Transportation Division staff performed a rate approach speed study;

WHEREAS, based upon the results of the safe approval speed study the Traffic Board recommends that yield signs be installed on Hyland Street at the intersection of Hyland Street and Verlinden Avenue;

WHEREAS, the approved minutes for the Traffic Board containing the Traffic Board recommendation for this matter are on file with the City Clerk's Office;

WHEREAS, the Mayor concurs in the recommendation of the Traffic Board;

WHEREAS, the Committee on Public Safety reviewed the reports and concurs with the recommendation of the Traffic Board;

NOW, THEREFORE, BE IT RESOLVED, that City Council approves Traffic Control Order No. 93-039 which authorizes the permanent placement of yield signs on Hyland Street at the intersection of Hyland Street and Verlinden Avenue;

NOW, THEREFORE, BE IT FINALLY RESOLVED that Traffic Control Order No. 93-039 shall become effective upon filing Traffic Control Order No. 93-039 with the City Clerk and erection of the appropriate signs.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #640
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Transportation Division staff has received a request from Neighborhood Watch 317 to prohibit parking on one side of Lincoln Avenue near Coscarelli's Sports Bar;

WHEREAS, the matter was referred to the Traffic Board;

WHEREAS, the Transportation Division staff studied the situation in light of the request;

WHEREAS, at the time of the request, parking was prohibited on the North side of Lincoln Avenue between South Cedar Street and Forest Avenue from 7:00 a.m. to 7:00 p.m. and there are no parking restrictions on the South side of Lincoln Avenue between South Cedar Street and Forest Avenue.

WHEREAS, the Traffic Engineer on July 22, 1993, pursuant to Section 2.53(2) of the Traffic Code which authorizes the temporary traffic control orders, placed in effect on a temporary basis parking regulations which prohibited parking at any time on the North side of Lincoln Avenue between South Cedar Street and Forest Avenue and in addition, temporarily prohibited parking at any time on the South side of Lincoln Avenue from 72 feet West of Maplewood to 50 feet east of Maplewood Street and from 101 feet East of Maplewood to 161 feet East of Maplewood and also from 466 feet East of Maplewood to the intersection of South Cedar Street;

WHEREAS, during the time the temporary parking regulations have been in effect positive comments have been received from the neighborhood residents;

WHEREAS, the Traffic Board has recommended that the above mentioned temporary parking regulations be made permanent;

WHEREAS, the Mayor concurs in the Traffic Board's recommendation;

WHEREAS, the approved minutes for the Traffic Board containing the Traffic Board recommendation for this matter are on file with the City Clerk's Office;

WHEREAS, the Committee on Public Safety has reviewed the report and concurs in the recommendation of the Traffic Board;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approves Traffic Control Order No. 93-041 thereby authorizing the Traffic Engineer to permanently prohibit parking at any time on the North side of Lincoln Avenue between South Cedar Street and Forest Avenue and in addition, permanently prohibit parking at any time on the South side of Lincoln Avenue from 72 feet West of Maplewood to 50 feet East of Maplewood Street and from 101 feet East of Maplewood to 161 feet East of Maplewood and also from 466 feet East of Maplewood to the intersection of Lincoln Avenue and South Cedar Street;

NOW, THEREFORE, BE IT FINALLY RESOLVED that Traffic Control Order 93-041 shall become effective when filed with the City Clerk and the appropriate signs have been erected.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #641
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Transportation Division has received a request by the Safety Director of Trumark Corporation located at 1820 Sunset Avenue to change existing parking regulations on Sunset Avenue;

WHEREAS, the request was referred to the Traffic Board;

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

WHEREAS, the Traffic Engineer on June 18, 1993, pursuant to Section 2.53(2) of the Traffic Code which authorizes the temporary traffic control orders, placed in effect on a temporary basis parking regulations which prohibit parking on the East side of Sunset Avenue from 410 feet South of Kaplan Street to 680 feet South of Kaplan Street;

WHEREAS, the purpose of the temporary parking regulation was to determine if the no parking zone increased visibility for vehicles entering and exiting the Trumark parking lot;

WHEREAS, the Traffic Division has not received any complaints regarding the temporary parking restrictions and site visits by Traffic Division staff confirming that visibility has increased for drivers entering and exiting the Trumark parking lot;

WHEREAS, the Traffic Board and Mayor concur in the recommendation that the temporary changes in parking regulations on Sunset Avenue be made permanent;

WHEREAS, the approved minutes for the Traffic Board containing the Traffic Board recommendation on this matter are on file in the City Clerk's office;

WHEREAS, the Committee on Public Safety has reviewed the report and concurs in the recommendation of the Traffic Board;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approves Traffic Control Order No. 93-042 thereby authorizing the Traffic Engineer to permanently prohibit parking on the East side of Sunset Avenue beginning at 410 feet South of Kaplan Street to 680 feet South of Kaplan Street; and

BE IT FINALLY RESOLVED that the Traffic Control Order 93-042 shall become effective when filed with the City Clerk and the appropriate signs have been erected.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #642
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Parks and Recreation Department (Department) is in the process of automating its registration system for recreation programs, and

WHEREAS, such automation is intended to improve the operations of the Department and implement the reorganization, and

WHEREAS, the Mayor, Finance Department and the Department are recommending the purchase of 4 networked PC's at a cost of $5,865 (including installation) and necessary software at a cost of $1,030, for a total cost of $6,495, and

WHEREAS, funding is available within the Field Services Equipment account (101-783820-977000-0) due to savings from purchases of budgeted equipment items, and

WHEREAS, existing policy requires the prior approval of City Council in order to purchase equipment which was not authorized in the City Council approved Departmental budget for 93/94 fiscal year and which exceeds Charter Executive Transfer authority;

NOW THEREFORE BE IT RESOLVED that the Parks and Recreation Department be authorized to purchase 4 networked computers and appropriate software for automating recreation program registration for a total cost of $6,495.00 and the Department;

BE IT FINALLY RESOLVED that the Administration is authorized to transfer $6,495 from account 101-783820-977000-0 (Field Service-Equipment) to 101-783830-977000-0 (Recreation Administration-Equipment) in order to implement the approved purchase.

By Councilmember Benavides

Carried unanimously

RESOLUTION #643
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Reverend Thomas M. Hughes served as pastor of Trinity A.M.E. Church for four years, during which he was very involved in church and community activities; and

WHEREAS, among the many programs which benefitted from Pastor Hughes' time, energy and skills are MAPP (Maximizing Academic Potential Program) and TAP (Trinity/Averill Partnership), two innovative summer enrichment programs for elementary students; and

WHEREAS, Pastor Hughes also secured funding for and operated the Youth In Action drug prevention program for middle school and high school students over two summers; and

WHEREAS, Pastor Hughes brought Trinity A.M.E. Church into the Rotating Sanctuary housing program for the homeless, and operated a food pantry and other benevolent programs for the needy in our community;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 15th day of November, 1993, hereby recognizes and commends REVEREND THOMAS M. HUGHES for his outstanding service to the congregation of Trinity A.M.E. Church and to our entire community.

By Councilmember Benavides

Carried unanimously, Councilmember Belen absent for the vote on this item

RESOLUTION #644
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Traffic Board has reviewed a request to install alternate two-way stop signs within the neighborhood bounded by Saginaw Street to the North, Kipling Boulevard on the East, Michigan Avenue on the South, and Clemens Avenue on the West;

WHEREAS, the Transportation Division concurs in the request;

WHEREAS, the Traffic Board has recommended that alternate two-way stop signs be installed within the neighborhood bounded by Saginaw Street to the North, Kipling Boulevard on the East, Michigan Avenue on the South, and Clemens Avenue on the West;

WHEREAS, the Mayor has reviewed the recommendation of the Traffic Board and concurs with its recommendation;

WHEREAS, the approved minutes for the Traffic Board containing the Traffic Board recommendation for this matter are on file with the City Clerk's office;

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approves Traffic Control Order Nos. 93-040, 93-043, 93-044, 93-045, 93-046, 93-047, 93-048, 93-049, 93-050, 93-051, and 93-052 which authorizes the Traffic Engineer to install alternate two-way stop signs within the neighborhood bounded by Saginaw Street to the North, Kipling Boulevard on the East, Michigan Avenue on the South, and Clemens Avenue on the West.

BE IT FINALLY RESOLVED that Traffic Control Order Nos. 93-040, 93-043, 93-044, 93-045, 93-046, 93-047, 93-048, 93-049, 93-050, 93-051, and 93-052 shall become immediately effective when signed by the Traffic Engineer and filed with the City Clerk.

By Councilmember Schmidt

Carried unanimously, Councilmember Belen absent for the vote on this item

ORDINANCES FOR INTRODUCTION

INTRODUCTION OF ORDINANCE
SERVICE CHARGE IN LIEU OF TAXES, PENNOAKS PROJECT

By Councilmember Lilly:

That an ordinance to amend the Code of ordinances of the City of Lansing by Adding A Chapter, Chapter 894, for the purpose of Permitting a Service Charge in Lieu of Taxes for a Project Known as Pennoaks, Which Project will Consist of Sixteen (16) Transitional Dwelling Units for Homeless Single Mothers of Low Income With Not More Than Two (2) Minor Children, Pursuant to the Provisions of the State Housing Development Authority Act of 1966 As Amended, was introduced by Councilmember Lilly and referred to the Committee on Physical Development and the Committee on Ways and Means

RESOLUTION #645
RESOLUTION SETTING PUBLIC HEARING

By Councilmember Lilly:

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, November 29, 1993 at 7:00 P.M. in the Council Chambers, 10 Floor, City Hall, 124 W. Michigan Ave., for the purpose of considering an ordinance to amend the Code of ordinances of the City of Lansing by Adding A Chapter, Chapter 894 for the purpose of Permitting a Service Charge in Lieu of Taxes for a Project Known as Pennoaks, Which Project will Consist of Sixteen (16) Transitional Dwelling Units for Homeless Single Mothers of Low Income With Not More Than Two (2) Minor Children, Pursuant to the Provisions of the State Housing Development Authority Act of 1966 As Amended

Interested persons are invited to attend this public hearing

By Councilmember Lilly

Carried unanimously, Councilmember Belen absent for the vote on this item

INTRODUCTION OF ORDINANCE
LIQUOR LICENSES

By Councilmember Schmidt

That an ordinance to amend the Code of ordinances of the City of Lansing by Amending Chapter 830, Section 830.03 (B) (2), for the purpose of Providing that City Council May Waive the Restriction on Sales of Liquor Within 500 Feet of a Church or Other Place of Worship Provided the Church or Other Place of Worship has Adopted a Resolution Irrevocably Waiving Their Objections, Placed the Resolution on file with the City Clerk, and City Council in its' Discretion Approves the License to Sell Alcoholic Beverages, was introduced by Councilmember Schmidt and referred to the committee on General Services

RESOLUTION #646
RESOLUTION SETTING PUCLIC HEARING

By Councilmember Schmidt

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, November 29, 1993 at 7:00 P.M. in the Council Chambers, 10 Floor, City Hall, 124 W. Michigan Ave., for the purpose of considering an ordinance to amend the Code of ordinances of the City of Lansing by Amending Chapter 830, Section 830.03 (B) (2) for the purpose of Providing that City Council May Waive the Restriction on Sales of Liquor Within 500 Feet of a Church or Other Place of Worship Provided the Church or Other Place of Worship has Adopted a Resolution Irrevocably Waiving Their Objections, Placed the Resolution on file with the City Clerk, and City Council in its' Discretion Approves the License to Sell Alcoholic Beverages

Interested persons are invited to attend this public hearing

By Councilmember Schmidt

Carried unanimously, Councilmember Belen absent for the vote on this item

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Benavides; a Resolution of Tribute to Thomas Hughes

HANDLED AS RESOLUTION #643

2/ From Councilmember Schmidt; a Resolution approving TCO'S (93) 040, 043, 044, 045, 046, 047, 048, 049, 050, 051, and 052

HANDLED AS RESOLUTION #644

MOTION OF EXCUSED ABSENCE

By Councilmember Benavides

To excuse Councilmembers Brockwell and Ford from tonight's meeting

Carried unanimously

MAYOR'S EXECUTIVE ASSISTANT'S COMMENTS

Mr. Frazier announced the Silver Bells in the City Celebration to be held Friday, November 19, 1993 with the lighting of the State Christmas Tree to take place at 6:25. Council President Canady will be on hand along with Governor Engler to flip the switch that lights the tree. Anyone interested in receiving more information about the celebration may contact the Arts Council at 372-4636.

COUNCILMEMBER'S COMMENTS

Councilmember Sohmidt thanked everyone for their continuing calls and cards expressing thanks for the years of service she has given to the City.

PUBLIC COMMENTS

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

William Bernstein of 420 Baker St. spoke regarding the first amendment right to freedom of speech.

Douglas Fairbanks of 525 E. Mt. Hope requested that Council hold a special ceremony as a tribute to Councilmembers Belen and Schmidt.

Ed Simmer of 2609 Dier said that the decision on the baseball issue should be postponed until the new mayor and councilmembers have taken office.

Frank Curtis of 4708 Ingham said he is opposed to NAFTA. He accused Consumers Power Co. of being negligent to the citizens of the City. What, he asked, would have happened if someone had dropped a lit cigarette near one of the broken gas mains?

Floyd A. Burus of 103 E. North St. said Council needs to move more quickly to take action on issues.

Lloyd Teets of 116 E. Elm said that the City Attorney has written letters about him that contain untruths.

Paul Scott of 412 W. Kilborn said that Councilmember Lilly made statements regarding vacancy rates in his neighborhood at the last meeting that could be misinterpreted. The vacancy rate according to the last census was 14.6% for all units. Six percent of those units are owner occupied. The ratio of rooms per person in this neighborhood keeps going down as landlords split up their properties to make more money.

Russell Greear of 3801 Walton said that Councilmembers who do not stay until the end of Council meetings should have their salaries docked. He has heard a rumor to the effect that incoming councilmembers will be installing new carpeting and having their offices painted. This is a waste of tax payers money on people who do not show up at the meetings.

Shane Powers of 1925 Mary Ave. stated that City Clerk elect, Sue Eby is in default to the City of Lansing in an amount exceeding $10,000. The Charter calls for the forfeiture of office in cases where a situation of default exists. He has documentation to prove his allegation that Ms. Eby is in default.

COUNCILMEMBER CANADY REFERRED THIS ISSUE TO THE CITY ATTORNEY

Harold Leeman of 529 N. Francis inquired as to the status of the acquisition of a minor league baseball team. He asked for information regarding the deadline for resolution of this matter. Will Council complete these negotiations this year, or will this be an issue in 1994? There was to have been a committee report from the Ad Hoc Committee on Early Retirement regarding recommendation #13. What has happened to this report? Councilmember Lilly responded that; the committee received a letter from Mr. Brookover outlining his understanding of what he was supposed to do. The committee has not met since then, but, there is a possibility that they will meet on Wednesday. Regarding the baseball issue he received a phone call indicating that the Springfield Cardinals would be going to Madison in 1994 and moving to Lansing in 1995 if the Stadium is here and ready to go. The Trust involved in the building of the stadium has said they will have the financing in place within the next week or two, and that they will be making an announcement to that effect. Mr. Perry and the Trust are scheduled to be here next Monday night when the Blue Ribbon Committee makes their report.

Council President Canady reported that the Chairman of the Michigan State University Trustees has been in contact with him to arrange a meeting to discuss their roll in the stadium and whether they will lease the stadium for their team events. They have shown a lot of interest. The retainer agreement with Mr. Brookover has been executed and sent back to him. He can begin his work anytime.

Councilmember Schmidt said that the assignments to the County Prosecutor and Mr. Brookover seemed to duplicate each other.

Council President Canady said that the assignments, being made by resolution, cannot be changed without adopting another resolution.

Lee Shunk, Jr. of 601 Leslie St. asked that the incumbents that are leaving office turn over paperwork they have received in the last six months that remains undone for the newcomers to review.

ADJOURNED 8:40 P.M.
MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, November 22, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
November 22, 1993

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Canady

PRESENT: Councilmembers Beal, Belen, Brockwell, Canady, Lilly, Schmidt

ABSENT: Councilmembers Benavides, Ford (Councilmember Ford arrived 7:05 P.M.)

The Invocation and Pledge of Allegiance were led by Councilmember Lilly

CONSIDERATION OF LATE ITEMS

By Councilmember Schmidt

To accept the following under suspension of the rules:

1/ From Councilmember Schmidt; a letter from Dick & Helen Fiser of 1909 E. Willard Ave. regarding a problem they are experiencing with water run off from a reservoir on adjacent property at 2700 Aurelius Rd.

2/ From Councilmember Brockwell; a request that the order of Special Ceremonies for tonight's agenda be reversed allowing the Potter Park Zoo Wonderland of Lights presentation to take place first

3/ From Councilmember Lilly; a request that the rules be suspended to allow for public comment on the Blue Ribbon Committee on Acquisition of a Baseball Team's Report to City Council following the Committee's presentation

4/ From Councilmember Lilly; Introduction of an Ordinance and Setting a Public Hearing on December 6, 1993 in consideration of an Ordinance readopting Chapter 1220—Historic Districts

5/ From Councilmember Lilly; a Resolution approving the sale of Lot 4 of R.E. Olds Plat, former Diamond Reo Site to Maxco Inc.

6/ From Councilmember Lilly; a letter from Mayor Crawford regarding the sale of Lots 6 & 7 of R.E. Olds Plat, former Diamond Reo Site

7/ From Councilmember Brockwell; a Committee Report and Resolution regarding an Order for Make-safe or Demolish for Property located at 1434 Pontiac

Carried unanimously

SPECIAL CEREMONIES

A. Carol Webster of the Potter Park Zoo Electrical Society announced that beginning this year and hopefully continuing every year for many years to come, the Zoo will feature the Wonderland of Lights. These luminaries encompass over one mile of the Zoo walkway. She reported that the Zoo has received a significant achievement award for their Indonesian Strategy for Sumatra Tigers.

B. Councilmember Lilly Introduced the Sub-Committee Chairpersons of the Blue Ribbon Committee on the Acquisition of a Minor League Baseball Team who outlined the findings of their sub-committees and presented Council with copies of their Final Report. Public comment on the report follows:

Tim Lewis of 500 S. Pine thanked the committee members for the time they have put into this project and said their report is very well written in terms of the ADA perspective. He recommended that City Council direct that a Market Study be done and that high profile advertising be put into place as quickly as possible.

Douglas Fairbanks of 525 E. Mt. Hope said this is a great idea and it is wonderful to have a Baseball Team coming to Lansing.

Bob Campion of 1402 N. Foster, past member of the Parks and Recreation Board and past president of the Amateur Baseball Association objected to the use of the Red Cedar Golf Course as a site for the Stadium.

Mark Eggleston of 4001 Heathgate thanked Council for allowing him to work on the Blue Ribbon Committee and suggested that this type of project deserves better promotion in the future. This should have been a County-wide proposition. He suggested that the needs of the senior citizen golfers be expedited and that they receive a discount to ball games. The stadium itself, he said, should be named after Councilmember Lucile Belen in honor of her 4 decades of public service to the city.

Russell Greear of 3801 Walton Dr. said this whole thing is a joke, building a ball field without a ball team. This is a waste of tax payers dollars, he said, City Council should not be spending this money without having a team first.

William Hubbell of 1003 W. Cavanaugh said that he hopes that Lansing does not get into the same situation that St. Petersburg, Florida got into. They built a stadium that sat idle for two years because they could not get a team.

Harold Leeman of 529 N. Francis said that the poll that was recently conducted was too small. They should have polled at least 800-1200 people rather than 300. He is concerned about the displaced golfers from the Red Cedar Course, about the Lansing Township land use, and about funding sources. The Trust is located in Reno, Nevada and he wants to know where their money is coming from and what team they will get.

Lloyd Teets of 116 E. Elm St. said that the Blue Ribbon Committee's report is very comprehensive. He still does not want to see this issue put on a fast track. He will support this as long as the trust will use their own money, not tax payers money. They are convinced that there is a market for a Class A Team. This could turn out to be a great thing for the community.

Lee Shunk, Jr. of 601 Leslie St. said that the development of a ball field will require more police officer and medical emergency personnel and Council must make sure there is an economic base

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

for it. The City of Lansing has had other minor leagues in the past and before we get this one, we have to make sure the services are available.

REFERRED TO THE MAYOR, THE COMMITTEE ON WAYS AND MEANS AND THE COMMITTEE ON PHYSICAL DEVELOPMENT

SCHEDULED PUBLIC HEARINGS

A. In consideration of an Ordinance to Amend Chapter 1042, Section 1042.04, of the Code of Ordinances for the purpose of Maintaining Certain Rates and Charges EFFECTIVE JANUARY 1, 1994 for Services Furnished by the City Sewage Disposal System as Adopted by City Council on June 28, 1993 and Readopted by City Council on September 7, 1993 and deleting the Automatic Expiration Date of the Ordinance

Lee Shunk Jr. of 601 Leslie St. spoke in opposition to the change in wastewater treatment rates. The rates should stay as they are now.

Douglas Fairbanks 525 E. Mt. Hope said the rates should stay as they are now.

George Warren of AFSCME, CIO, and Lansing Labor Counsel said the wastewater treatment rates should be structured on a commodities basis. This ordinance is not fair to the low income.

Russell Greear of 3801 Walton Dr. said he is opposed to this ordinance because the handicapped cannot afford it.

Dale Martin of 315 Seymour, Vice President of Motor Wheel Corporation and Chairman of the Industrial Counsel, member of Greater Lansing Chamber of Commerce said that he served as a member of the Wastewater System Committee. They met for two years and were assisted by two studies provided by Black and Veatch. He supports the rate structure originally proposed in the studies.

Gary Boszak of 920 Townsend speaking on behalf of General Motors Plants in Lansing said that the Black and Veatch study proposed equity across all user groups within the City. Industrial and Commercial users have a meter charge assigned to them while residential customers do not. These costs are passed on to the industrial and commercial users immediately, while increases to residential users would not take place right away.

Joe Maguire of 1622 Woodside on behalf of the Lansing Regional Chamber of Commerce Consumers Affairs Division said that if Council does not adopt this ordinance by the end of 1993 the City stands to lose $200,000 per year in loans from the State of Michigan. The City, he said, needs this ordinance to attract new commercial growth.

Jim Barnes of 708 E. Grand River, Vice President of Wohlert Corporation said that the city needs to move towards greater parity between user classes. Black and Veatch is a firm of national reputation. All they are asking for is equity so that the manufacturing sector and commercial and retail businesses can survive. When the manufacturers and businesses leave the city so do the jobs, sales, and the city's tax base.

Gretchen Couraud of 1735 Whitegate of the Lansing Regional Chamber of Commerce, Industrial Counsel explained the rationale used to develop the rate structure for apartment buildings and thanked Councilmembers for their help with this ordinance.

Harold Leeman of 529 N. Francis said that the raise in the administrative cost is not justified. He is not impressed by the representatives of the Chamber of Commerce here tonight. They are playing politics and accusing everyone else of doing it.

Paul Novak of 1519 W. Kalamazoo said that this amounts to a shift of costs from industrial users to residential users. This is what needs to be addressed. This would give undue benefit to industrial customers at the expense of everyone else.

William Hubbell of 1003 W. Cavanaugh said that Council failed to adopt these rates last June because they felt it would be too politically damaging to do so. This now becomes the decision of a lame duck Council that does not have to worry about political ramifications, because they will not be back anyway.

John L. Hobey of 2727 Lyons Ave., speaking on behalf of Olofsson Corp., said he supports this ordinance. He does not think it is unfair to residents. It strives for parity and encourages industry, while at the same time, it does not discourage residential users.

Lloyd Teets of 116 E. Elm St. said the Black and Veatch Study was a study by special interest groups, for special interest groups and of special interest groups. He does not approve of the ordinance, nor, the rate structure the way it is now written. Please take a second look at this.

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

PUBLIC COMMENT

Russell Greear of 3801 Walton said that Council does not deserve to take a vacation for the last two weeks in December.

William Hubbell of 1003 W. Cavanaugh said he approves of the cancellation of the last two meetings in December. The less this Council does, the better.

Tim Lewis of 500 S. Pine said Council is entitled to cancel these meetings because the charter only calls for 50 meetings per year. He spoke in support of the Public Driver's License for Herbert Longdo.

Harold Leeman of 529 N. Francis said the price of green bags should be lowered. He asked for discussion of the claim denials on tonight's agenda. What will be built on the Maxco property at Diamond Reo, he asked? How much money will be brought in by the parking fees for the Potter Park Zoo Wonderland of Lights during the Holiday season? He objects to the cancellation of the last two meetings in December.

Lloyd Teets of 116 E. Elm St. said that the Committee Report from the Committee on Ways and Means was nothing but creative bookkeeping. It does not take into account the fact that the City had to pay off the bonds from the parking system. Which, in fact, created a shortfall of $300,000,000.

Lewis Pothoff of 1712 W. Miller Rd. said that holding a Public Hearing on the sale of land at the Diamond Reo site is a waste of time and tax payers dollars.

COMMUNICATIONS AND PETITIONS

By Councilmember:

That Communications and Petitions be considered as read in full and that the proper referrals be made by President Canady

Carried unanimously

A. Letters from Kenneth E. Vaughan, Mary Haney and other Concerned Citizens re:

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

—Demanding the prosecution of Councilmember Canady for violation of the City Charter

—Demanding that Council take the necessary steps to prohibit City Clerk Elect, Sue Eby from taking office

REFERRED TO THE CITY ATTORNEY AND THE COMMITTEE OF THE WHOLE

B. Response of Continental Cablevision of Michigan Inc., to the Federal Communications Commission on a complaint concerning rates for cable programming services provided in Lansing

REFERRED TO THE CABLE ADVISORY BOARD

C. Michigan Municipal League Legal Defense Fund submits their Annual Report for FY 1992-93 and Membership Handbook

RECEIVED AND PLACED ON FILE

D. Letters from the National League of Cities regarding:

—Their plans for the Congress of Cities in Orlando and future activities of the Consortium

—Policy Proposals for Consideration at the 1993 Congress of Cities

RECEIVED AND PLACED ON FILE

E. Claim Appeal submitted by Kerry D. Hagan for property located at 4725 Delta River Drive

REFERRED TO THE CITY ATTORNEY AND THE COMMITTEE ON GENERAL SERVICES

F. Letter from the City of Romulus regarding their intent to dispose of hazardous and non-hazardous waste in a deep injection well into the Mt. Simon strata at 4,500'

REFERRED TO THE MAYOR

G. Amended Petition for Rezoning submitted by Ronald F. Heck of 900 Long Blvd. #421 for Z-05-93, 1921 W. Holmes

REFERRED TO THE MAYOR AND THE COMMITTEE ON PHYSICAL DEVELOPMENT

H. Residents of the Capitol Hill District present their Proposal for the Revitalization of Durant Park

REFERRED TO THE MAYOR

I. Letter from Ruth Kruger of 3625 E. Mulberry, Ft. Collins, CO requesting a Service Charge in Lieu of Taxes for property located at 125-127 S. Eighth St.

REFERRED TO THE CITY ATTORNEY AND THE MAYOR

J. Letter from Emmanuel P. Copiaco regarding City funding for an attempt to resurrect the Community Service and Referral Center (CSRC)

REFERRED TO THE MAYOR

K. Letter from Lee Shunk, Jr. of 601 Leslie regarding the City's Parking System

REFERRED TO THE MAYOR

MAYOR'S EXECUTIVE ASSISTANT MAY COMMENT

Mr. Frazier outlined Mayor Crawford's letters on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. REFERRALS:

Public Driver (2)

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of November 15, 1993 for Review

RECEIVED AND PLACED ON FILE

C. Letters from the City Attorney re:

1/ **RESOLUTION #646A**
November 18, 1993
COUNCIL PRESIDENT MARK CANADY AND
MEMBERS OF LANSING CITY COUNCIL

RE: Recommendation for Settlement
USDC Docket #G83-750-CA

Dear Council President and Council Members:

The above referenced matter involved the side-effects of a Swine Flu inoculation resulting in the symptoms of Guillain-Barre Syndrome. A dispute arose concerning the liability of the City in view of federal legislation that granted immunity to manufacturers and distributors of the vaccination and program participants in the national swine flu program. The Michigan Court of Appeals held that there was not an exclusive remedy with the federal government and the City could still be liable under Workers Compensation theories.

In light of the court's ruling and an analysis of the possible liability in this situation, the Personnel and Training Department, the City Attorney's Office and the Ways and Means Committee agreed that a settlement would be in the best interest of the City. After substantial discussion, the parties have tentatively stipulated to a redemption in the total amount of $4,000.00 to settle all past, present, and future claims.

Based upon the above stated facts, the City Attorney's office requests authorization to settle this matter as set forth above.

Very truly yours,
ALVAN P. KNOT, City Attorney

By Councilmember Ford

To accept the recommendations of the City Attorney

Carried unanimously

2/ **RESOLUTION #646B**
November 19, 1993

COUNCIL PRESIDENT MARK CANADY and
MEMBERS OF THE CITY COUNCIL

RE: RECOMMENDATION OF PROPERTY TAX APPEAL;
MTT DOCKET NO. 172723

Dear Council President and Members:

The above matter involves an appeal of a tax assessment. After numerous meetings with the City Assessor's Office and the appointed agent for the Petitioner, a tentative settlement of this appeal was reached. The pertinent facts are as follows:

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

TAX YEAR	1992
ASSESSMENT	$1,244,800
PETITIONER ASS'D VALUE	$284,900
ASSESSMENT STIPULATION	$1,012,400
CITY TAX REFUND	$4,043.76

This settlement would ***not*** provide for the payment of interest or attorney fees.

The data presented by the Petitioner indicates a severe vacancy problem with the subject shopping center. This is substantiated not only by the property in question, but also with the shopping center across the street, known as 3525 S. M.L. King Boulevard/Logan Street. Accordingly, an increased economic obsolescence should definitely be applied to this property since the current income restrictions induced by the market in the area need to be taken into consideration.

It should be noted that the Mayor, the Assessor's Office, and the Ways and Means Committee concur with this recommendation. Based upon the above-stated facts and recommendations, the City Attorney's Office requests authorization to settle the case as set forth above.

Very truly yours,
Alvan P. Knot, City Attorney

By Councilmember Ford

To accept the recommendations of the City Attorney

Carried unanimously

3/ **RESOLUTION #646C**
November 18, 1993

COUNCIL PRESIDENT CANADY AND
MEMBERS OF LANSING CITY COUNCIL

RE: RECOMMENDATION FOR SETTLEMENT OF CIVIL ACTION DOCKET NO. 91-68702-NZ

Dear Council President Canady and Members of Lansing City Council:

The above matter involves a lawsuit filed by Plaintiff and his wife against the City of Lansing (City), Lansing Police Department (LPD), and two (2) Lansing police officers. Plaintiff maintains that after being arrested for reckless driving he was transported to the detention area of the City jail. Plaintiff further maintains that during the booking process he was assaulted by two (2) police officers resulting in both physical injuries and a deprivation of his constitutional rights.

During the course of discovery in this matter it was determined that one (1) of the officers involved had retired; moved from the state; and, presently is suffering from a serious disability. Given the expected difficulty in securing the officer's attendance and the expense associated therewith, this office commenced settlement negotiations. During the course of these negotiations, Plaintiff offered to settle this matter for a total amount of $3,500. After further negotiation, the Plaintiff indicated that he was willing to settle the matter for a total of $2,500.00 without the entry of a judgment against any of the defendants; without any admission of liability against the defendants; and, with a full release of any further claims which may arise out of the lawsuit.

It is the recommendation of the Mayor, the Police Chief, this office, and the Ways and Means Committee that the matter be settled for $2,500. Therefore, it is requested that this office be granted the authority to effectuate the settlement as outlined above.

As always, if you have any questions, please feel free to contact me.

Very truly yours,
ALVAN P. KNOT, City Attorney

By Councilmember Ford

To accept the recommendations of the City Attorney

Carried unanimously

D. Letters from the Mayor re:

1/ Resignation of Betty L. Linhart from the Traffic Board

RECEIVED AND PLACED ON FILE

2/ Estimated and Actual Revenues and Expenditures to Date

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

3/ SLU-06-93, Sablain Pits

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

4/ Renovation of Fenner Arboretum

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

5/ Public Improvement I, Capital Avenue

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

6/ Fairview Park

RECEIVED AND PLACED ON FILE

7/ Lansing Parks and Recreation Department—Project Status Report November 1993

RECEIVED AND PLACED ON FILE

8/ Acquisition of Property—813 Eureka St.

REFERRED TO THE COMMITTEES ON PHYSICAL DEVELOPMENT AND WAYS AND MEANS

COMMITTEE REPORTS

RESOLUTION #646D
REPORT OF COMMITTEE
THE COMMITTEE ON WAYS AND MEANS, to whom was referred the Fiscal Year 1993 year-end audited financial statements,

REPORTS AS FOLLOWS: The Committee received a verbal report from the Finance Director serving to highlight items of interest. In addition, the City Auditor has conducted a limited analytical review for the purpose of this committee report. This information is presented by fund as follows:

GENERAL FUND: Results of operations were as projected with expenditures exceeding revenues by $866,191. Note that $600,000 from Ambulance Fees did not materialize during the year. Undesignated Fund Balance, the portion of Fund Balance not committed to various programs or projects, decreased from $5,971,949 in FY 92 to $5,906,280 in FY 93, a decrease of 1.1%. The Undesignated Fund Balance provides for 26 days of

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

expenditures. Ideally, Undesignated Fund Balance should provide for 45 days of expenditures.

MUNICIPAL PARKING SYSTEM FUND: Operating revenues exceeded operating expenses by $66,070. Accounting for non-operating revenues and expenses creates a net loss in FY 93 of $3,066,731 attributable to finance charges of $3,218,407. Working Capital at 6-30-93 is $860,346 with finance charges of $2,991,783 payable in FY 94. Projections for FY 94 indicate a year end deficit of approximately $1,000,000. Unless an alternate funding source for bond repayment is implemented the projected deficit will have to be paid from the General Fund as these bonds are pledged full faith and credit of the City of Lansing.

SEWAGE DISPOSAL SYSTEM FUND: Results of operations were as projected. Operating income increased by $830,857 (58%) to $2,255,640. This gain is primarily attributable to a reduction in operating expenses of $577,623. Operating revenues increased a modest 1.8% in FY 92 and 1.7% in FY 93 even though rate increases of 9% and 6% were adopted in the last two fiscal years. Accounting for non-operating revenues and expenses creates a net loss of $9.357 in FY 93. In order for this fund to meet federal and state mandates while continuing cost containment measures it is imperative that the sunset provision in the current Wastewater Treatment Rate Ordinance be removed. Failure to do so will add at least $391,000 of unbudgeted expenditures in the upcoming year. Working Capital was $356,004 at 6-30-93.

CEMETERY FUND: Operating revenues were down $18,431 (9%) in FY 93. Overall, the net loss, after operating transfers from General Fund of $383,000 and Perpetual Care Fund of $71,188, was $34,145. Each year of sluggish performance in this fund reiterates the pressing need for an updated Master Plan serving to maximize fund assets, and an aggressive investment approach to the Perpetual Care Fund. Both are currently in process.

ACT 51 MAJOR and LOCAL STREET FUND: Revenues received from the State increased by $485,610 (8.5%) between FY 92 and FY 93. Additional revenues from the "Build Michigan Fund" did not materalize as projected. Current and historic revenues have been sufficient for maintenance of City infrastructure, but not for adequate and timely replacement of streets, curbs, and sidewalks. The proposed Storm Water Utility, if implemented, would provide relief to this fund by transferring catch basin cleaning and street sweeping costs from Act 51 to the Utility.

GOLF FUND: In the spring of 1993 rate increases approximating 20% were implemented in order to place the fund on a fully self-supporting basis. Due to inclimate weather revenues decreased by $24,259 (2.4%). Expenses increased by $253,644 (31%) primarily attributable to fully applying all administrative costs. Net loss on the year was $105,478. Retained Earnings of $264,122 at 6-30-93 are adequate, weather permitting.

POTTER PARK ZOO FUND: Receiving a full year's entrance fees increased revenues from $198,831 in FY 92 to $335,030 in FY 93, an increase of $136,199 (68.5%). Expenses declined in FY 93 by $131,043 (8.8%). The operating loss, before application of the General Fund Subsidy of $1,000,000, was $1,030,518. The net loss of $30,518 after application of subsidy increased the deficit position of the fund to $208,887. This fund is heavily subsidized by the General Fund.

GARBAGE and RUBBISH COLLECTION FUND: Net Income for the year was $711,813. This was accomplished in the absence of any rate increases. Retained Earnings at 6-30-93 were $1,855,343. This fund is very sound.

This report is informational. No Council action is required.

SIGNED: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

BY COUNCILMEMBER BROCKWELL

That the Report of Committee be received.

CARRIED UNANIMOUSLY, COUNCILMEMBER BEAL ABSENT FOR THIS VOTE

NOVEMBER 22, 1993

RESOLUTIONS

RESOLUTION #647
BY COUNCILMEMBER FORD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Clerk has forwarded three applications for public driver licenses, which have been routinely processed by the Lansing Police Department without objection and are ready for final action by this Council; and

WHEREAS, the Clerk has informed the Council that the required non-refundable fees to process the public driver applicants have been paid in full; and

WHEREAS, the Committee on General Services has reviewed the applications and concurs in the Police Department's recommendations that the licenses be approved;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the following applications for license:

PUBLIC DRIVER: Bret J. Goedert, Herbert A. Longdo, Warren E. Wolfe

By Councilmember Ford

Carried unanimously, Councilmember Beal absent for the vote on this item

RESOLUTION #648
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Natale and Virginia Litrenta filed a claim against the City in the amount of $1,739.00 in protest of a special assessment for removal by the City's contractor of accumulated trash from a vacant lot owned by the claimants on the north side of West Miller Road near South Washington Avenue; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the claim, supplemented by testimony from claimant Natale Litrenta, and the staff recommendation were reviewed by the Committee on General Services; and

WHEREAS, the Committee determined that the claimants were given verbal as well as written notice of the trash violation, that the claimants did not correct the violation by the time of the reinspection by the City Code Compliance Officer, that the City's

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

contractor was authorized to remove the trash, which amounted to 38 cubic yards, and the contractor spent 13 hours on this job and took 17 extra pictures to document the work done, and that the amount of the special assessment is legitimate; and

WHEREAS, the Committee recommends that the claim be denied;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to deny the claim of Natale and Virginia Litrenta; and

BE IT FINALLY RESOLVED the City Clerk is requested to notify the claimant of this action.

By Councilmember Ford

Carried unanimously, Councilemmber Beal absent for the vote on this item

RESOLUTION #649
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Elise Love filed a claim against the City in the amount of $417.20 as reimbursement for damages sustained to her personal vehicle as a result of driving over an open manhole on eastbound Jolly Road at about 4:00 PM on June 25, 1993; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim, which was concurred in by the Claims Review Committee; and

WHEREAS, the claimant appealed the denial to the City Council and appeared before the General Services Committee, furnishing testimony and evidence in support of the claim; and

WHEREAS, the Committee determined that City records indicate no missing manhole covers and no City street maintenance on Jolly Road on and around the date in question, which supports a conclusion that the City has no responsibility for the claimant's vehicle damage; and

WHEREAS, the Committee recommends denial of the claim, but desires that the claimant be notified that a further check of Public Service Department records shows that the Board of Water and Light performed a pavement cut on eastbound Jolly Road around the date in question;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to uphold the Claims Review Committee's denial of the claim of Elise Love; and

BE IT FINALLY RESOLVED the City Clerk is requested to forward a copy of this resolution to the claimant.

By Councilmember Ford

Carried unanimously, Councilmember Beal absent for the vote on this item

RESOLUTION #650
BY COUNCILMEMBER LILLY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing is desirous of selling Lots 6 and 7 of the R. E. Olds Plat; and

WHEREAS, an Agreement has been drawn up and approved as to form by the City Attorney for the stipulated price of $16,000.00 per acre; and

WHEREAS, the Agreement for the sale of these parcels requires this Development to be in compliance with the Zoning District and the Southeast Area Master Plan; and

WHEREAS, the total purchase price of these two Lots will exceed $50,000.00; and

WHEREAS, in accordance with the Lansing City Charter, Article 8, Chapter 4, and Section 208.08 of the Lansing Code of Ordinances a public hearing is required;

NOW, THEREFORE, BE IT RESOLVED, that a Public Hearing shall be held on December 6, 1993 to consider the sale of the following two (2) Lots:

LOT 6 OF THE R. E. OLDS PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, AS RECORDED IN LIBER 48, OF PLATS, PAGES 35, 36, AND 37, CONTAINING 5.28 ACRES.

LOT 7, OF THE R. E. OLDS PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, AS RECORDED IN LIBER 48 OF PLATS, PAGES 35, 36, AND 37, CONTAINING 4.429 ACRES.

By Councilmember Lilly

Carried unanimously, Councilmember Beal absent for the vote on this item

RESOLUTION #651
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT a public hearing be scheduled and announced for 7:00 PM on Monday, January 10, 1994, in the Council Chambers on the 10th floor of City Hall, for the purpose of receiving public comment on the proposed 30 year agreement between the City of Lansing and City Signal, Inc., that would grant certain consents for use of the public rights-of way and facilities.

By Councilmember Lilly

Carried unanimously, Councilmember Beal absent for the vote on this item

RESOLUTION #652
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, The Lansing Code of Ordinances, Section 1063.09 provides that solid waste, recyclable materials and/or yard waste which accumulates in the City right of way is a public nuisance and is subject to removal and/or abatement;

WHEREAS, the Public Service Department has informed City Council that the appropriate 7 day notices have been mailed to residences where solid wastes, recyclable materials and/or yard wastes have been allowed to accumulate in violation of Chapter 1063 of the Lansing Code of Ordinances;

WHEREAS, the Public Service Department has informed the City Council that the trash violations have not been removed from the public right of way within the requisite time period;

WHEREAS, subsequently, the Public Service Department has incurred the expenses of removing the trash violations from the City right of way;

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

NOW, THEREFORE, BE IT RESOLVED that pursuant to Section 1063.09(b) of the Lansing Code of Ordinances the following expenses incurred by the Public Service Department in the removal and/or abatement of waste which were in the public right of way shall be placed on the next tax roll, July 1994, of the City and shall be a lien upon the property:

2124 Reo Road—3301-32-302-081-8
Violation #15302/$178.74

1804 New York Avenue—3301-10-127-121-8
Violation #15953/$193.19

1823 Teel—3301-21-457-001-7
Violation #16041/$193.19

1012 N. Pine—3301-09-307-061-1
Violation #15970/$194.80

409 Filley Street—3301-04-327-461-0
Violation #15308/$236.06

1031 S. Grand—3301-21-253-035-4
Violation #16013/$196.86

742 Armstrong—3305-03-151-122-6
Violation #16025/$193.19

By Councilmember Brockwell

Carried unanimously, Councilmember Beal absent for the vote on this item

RESOLUTION #653
BY THE COMMITTEE ON WAYS AND MEANS
AND THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, for the second straight year the Potter Park Zoological Society members and associated volunteers will provide a WONDERLAND OF LIGHTS at Potter Park Zoo during the holiday season; and

WHEREAS, the Mayor, the Parks and Recreation Director and the Potter Park Zoological Society recommend that a per motorized vehicle entrance fee of $3 be established for this event, and that the regular Zoo Admission Fee of $2 per adult and $1 per child not be collected during this event; and

WHEREAS, in order for this event to prosper and grow the Mayor recommends that one-third of the proposed motorized vehicle entrance fee be allocated to the Potter Park Zoological Society for sponsoring this event; and

WHEREAS, the Committee on Public Services and the Committee on Ways and Means recommend that the balance of this entrance fee should be allocated to the Potter Park Zoo Capital Improvement Account consistent with the previously adopted Council policy allocating the motorized vehicle entrance fees to capital improvements at the zoo; and

WHEREAS, the Parks Board has reviewed the proposal and concurs in the recommendation of the Mayor, Parks and Recreation Department and the Potter Park Zoological Society;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby rescinds the regular parking fee and the regular zoo admission fee and adopts an entrance fee of $3 per motorized vehicle commencing on November 25, 1993 through January 1, 1994 between the hours of 5:00 p.m. and 8:00 p.m., excluding Christmas Eve Day and Christmas Day when the zoo is closed; and

BE IT FURTHER RESOLVED that this fee shall be allocated after payment of collection expenses, one-third to the Potter Park Zoological Society and two-thirds to the Potter Park Zoo Capital Improvement Account; and

BE IT FURTHER RESOLVED that commencing January 2, 1994, the regular parking fee of $1.50 per vehicle and the regular zoo admission fee of $2 per adult and $1 per child shall again commence; and

BE IT FINALLY RESOLVED that the City Attorney is requested to draft a contract between the City of Lansing and the Potter Park Zoological Society defining the obligations of each party and allowing the Zoological Society to receive City funds for this event.

By Councilmember Brockwell

Carried unanimously, Councilmember Beal absent for the vote on this item

RESOLUTION #654
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the regular meetings of the Lansing City Council scheduled for December 20, 1993, and December 27, 1993, are hereby cancelled.

By Councilmember Ford

Carried unanimously, Councilmember Beal absent for the vote on this item

RESOLUTION #655
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT Resolution #547 of 1993, which was adopted by this Council on September 27, 1993, and which denied a sewer back up claim submitted by Scott Thomas Felver, is hereby rescinded, and the claim is referred back to the Committee on General Services.

By Councilmember Ford

Carried unanimously, Councilmember Beal absent for the vote on this item

RESOLUTION #656
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing is interested in selling Lot 4 of the R. E. Olds Plat of the former Diamond Reo site for the purpose of its redevelopment; and

WHEREAS, Lot 4 of the R. E. Olds Plat consists of approximately 2.658 acres for which the City has previously determined that the asking price shall be $16,000.00 per acre; and

WHEREAS, Maxco, Inc. has expressed interest in Lot 4 of the R. E. Olds Plat and desires to purchase outright the South 188.57 feet of Lot 4 (consisting of one (1) acre), for the sum of $16,000.00 and to enter into an Option to Purchase the remaining North 242.49 feet of Lot 4 (consisting of 1.658 acres) for the sum of $26,528.00; and

WHEREAS, Maxco, Inc. proposes that the Option to Purchase be

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

for a term of two (2) years on consideration to the City of the sum of $100.00;

NOW, THEREFORE, BE IT RESOLVED, that the Lansing City Council authorizes the sale of the property legally described as:

THE SOUTH 188.57 FEET OF LOT 4, OF THE R.E. OLDS PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, AS RECORDED IN LIBER 48 OF PLATS, PAGES 35, 36, AND 37.

to Maxco, Inc. for the sum of Sixteen Thousand ($16,000.00) Dollars, subject to the submission by Maxco, Inc. to the City of an Offer to Purchase and a Development Agreement for the property in form and content consistent with Offers to Purchase and Development Agreements previously used in the sale and development of other parcels in the former Diamond Reo site and further subject to the approval of these documents in form and content by the Mayor and City Attorney; and

BE IT FURTHER RESOLVED that the Lansing City Council authorizes the Mayor, for the sum of One Hundred Dollars ($100.00) to enter into a two (2) year Option Agreement to sell the property legally described as:

THE NORTH 242.49 FEET OF LOT 4, OF THE R. E. OLDS PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN, AS RECORDED IN LIBER 48 OF PLATS, PAGES 35, 36, AND 37.

to Maxco, Inc. and that the sale price of the property upon exercise of the option be for the sum of Twenty-Six Thousand Five Hundred and Twenty-Eight Dollars ($26,528.00) and that the Option Agreement and subsequent terms of sale be subject to the same contingencies stated for the aforementioned outright sale.

BE IT FURTHER RESOLVED that the aforestated contingencies of outright sale shall be met within one hundred twenty (120) days of this date, and for the Option to Purchase, within thirty (30) days of its exercise, or as to each separate transaction independent of the other, this Resolution shall be null and void; and

BE IT FINALLY RESOLVED that the Mayor, on behalf of the City, is authorized to sign and execute all necessary documents to effectuate the aforestated transaction, subject to their prior approval as to form by the City Attorney.

By Councilmember Lilly

Carried unanimously, Councilmember Beal absent for the vote on this item

RESOLUTION #657
INTRODUCTION OF ORDINANCES

READOPTING CHAPTER 1220
HISTORIC DISTRICT ORDINANCE

To Introduce Chapter 1220, The Historic District Ordinance, for the purpose of readopting and setting a public hearing for December 6, 1993, on the readoption of Chapter 1220 and that the proposed Chapter be referred to the Committee on Physical Development.

Resolved by the City Council of the City of Lansing that a public hearing be set for December 6, 1993, 7:00 p.m. in the Council Chambers of the Tenth Floor or City Hall for the purpose of readopting Chapter 1220 Historic Districts Ordinance.

November 22, 1993

By Councilmember Lilly

Carried unanimously, Councilmember Beal absent for the vote on this item

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

CONSIDERATION OF LATE ITEMS

1 / From Councilmember Schmidt; a letter from Dick & Helen Fiser of 1909 E. Willard Ave. reqarding a problem they are experiencing with water run off from a reservoir on adjacent property at 2700 Aurelius Rd.

REFERRED TO THE PLANNING DEPARTMENT AND THE PUBLIC SERVICE COMMITTEE

2/ From Councilmember Brockwell;a request that the order of Special Ceremonies for tonight's agenda be reversed allowing the Potter Park Zoo Wonderland of Lights presentation to take place first

THE RULES WERE SUSPENDED AND THE POTTER PARK ZOO WONDERLAND OF LIGHTS SPECIAL CEREMONY PRECEDED THE PRESENTATION OF THE REPORT BY THE BLUE RIBBON COMMITTEE ON THE ACQUISITION OF A BASEBALL TEAM

3/ From Councilmember Lilly; a request that the rules be suspended to allow for public comment on the Blue Ribbon Committee on Acquisition of a Baseball Team's Report to City Council following the Committee's presentation

THE RULES WERE SUSPENDED AND PUBLIC COMMENT REGARDING THE REPORT OF THE BLUE RIBBON COMMITTEE WAS ACCEPTED FOLLOWING THE PRESENTATION OF THEIR REPORT

4/ From Councilmember Lilly; Introduction of an Ordinance and Setting a Public Hearing on December 6, 1993 in consideration of an Ordinance readopting Chapter 1220 Historic Districts

HANDLED AS RESOLUTION #657

5/ From Councilmember Lilly; a Resolution approving the sale of Lot 4 of R.E. Olds Plat, former Diamond Reo Site to Maxco Inc.

HANDLED AS RESOLUTION #656

6/ From Councilmember Lilly; a letter from Mayor Crawford regarding the sale of Lots 6 & 7 of R.E. Olds Plat, former Diamond Reo Site

RECEIVED AND PLACED ON FILE

7/ From Councilmember Brockwell; a Committee Report and Resolution regarding an Order for Make-safe or Demolish for Property located at 1434 Pontiac

PULLED AT THE REQUEST OF COUNCILMEMBER BROCKWELL AND RETURNED BACK TO COMMITTEE

MOTION OF EXCUSED ABSENCE

By Councilmember Schmidt

To excuse Councilmember Benavides from tonight's proceedings

Carried unanimously

MAYOR'S EXECUTIVE ASSISTANT'S COMMENTS

Mr. Boyd thanked everyone who has written and called to express

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

their concern over the future ability of the Mayor and his staff to stay in the Lansing area. He also thanked his colleagues in the Mayor's office; Jo, Kecia, Tom, and Tom. This has been an experience he will not forget. There are many programs in the City of Lansing that receive national recognition. When the nation wants to know about the benefits of Community Policing Officers they look to the Lansing Police Department. When they want to know about restoration of neighborhoods, they call the Lansing Housing Commission. When they want to know about safety standards, they call the Lansing Fire Department. He thanked former Mayor McKane for implementing the hiring system that he came in under in 1985. He thanked the citizens, the media, the Council and his wife and family and friends.

COUNCILMEMBER'S COMMENTS

Councilmember Ford thanked Mr. Boyd for his comments. He has enjoyed serving with him for the last 4 years. He is the ultimate professional. The Neo's revocation hearing has been conducted, the transcript received and sent to the administration. He expects a meeting a week from this Wednesday to finalize this issue. He asked that everyone involved be prepared to make their comments at that time.

Councilmember Schmidt wished the best of luck to Mr. Boyd, wherever he goes, he will make a positive, favorable difference. She asked about the schedule for trash pickup over the holidays. Mr. Clegg responded that pickup will run one day late and Friday's collections will be made on Saturday. She asked Councilmember Lilly where they plan to put the replacement site for the Red Cedar Golf Course. Councilmember Lilly reported that several possibilities were discussed. They discussed expanding Waverly Golf Course to an 18 hole course, or, expanding Grossbeck to a 27 hole course. They also discussed going to the southwest or southeast portion of the city to implement a new course. However, it is not within their purview to address where the course would be placed. The Parks Board would want to have strong input into this process. Councilmember Schmidt replied that if there are no plans for the refinancing or building of a new golf course then council must decide if it is more important to have a ball diamond than it is to have a golf course. This would mean that there is no golf course on the eastside of the city. It would be putting more importance on one sport than on another. Councilmember Lilly said that this is certainly an important consideration, however, it was not within the scope of what the committee was to look at. This is something that Council needs to look at as a key question. If the golf course is not replaced, they will lose a valuable asset. Moreover, Mr. Reickel will not support the building of a ball field unless they replace the golf course. Mr. Reickel did not vote on this proposition, he walked out of the meeting prior to the vote being taken. Councilmember Schmidt announced the opening of a new restaurant next to the Old Diamond Reo site at the former Train Station.

Councilmember Belen said that tonight's actions on the Diamond Reo Site nearly completes the sale of these parcels. She asked that she be excused, as she has an early flight tomorrow morning.

PUBLIC COMMENTS

Lloyd Teets of 116 E. Elm St. said that on Wednesday morning at 8:30 he will have his trial in front of Judge Manderfield. He invited the public to attend. He apologized to Marilynn Slade, City Clerk for his endorsement of her opponent Sue Eby in the recent election. Tomorrow at 5:30 P.M. the Board of Water & Light will hold a water rate increase hearing. They want to raise the rates over the next three years by 21.6% to avoid a projected cash flow deficit caused by capital expenditures to the water system. He thinks it was caused by incompetent management.

Rita Deason of 2936 Quincy St. said that City Clerk elect owes in excess of $30,000 to the city in delinquent property taxes. The city needs and wants hard working honest people in city government. They will not settle for less.

Mary Massoglia of 2911 Cooley Dr. said that Sue Eby signed the same affidavit that she did. How can we trust Eby? If she is allowed to serve as clerk the residents will be outraged. She urged Council to take immediate steps to prevent her from taking office in January.

Tim Lewis of 500 S. Pine thanked President Canady for apologizing to the citizens of the city. Sue Eby is part of two big issues. One of which is her property tax and delinquency in paying, and the other is the affidavit she signed saying that she did not owe any property taxes to the city. This is an issue of trust and the public is outraged that a person would do such a thing. He demanded that Ms. Eby be prosecuted for her actions and that she step down as City Clerk.

Douglas Fairbanks of 525 E. Mt. Hope said that Marilynn Slade is an honest and dedicated public official who did nothing wrong at all. President Canady, he said, is honest and dedicated too.

Mark Eggleston of 4001 Heathgate asked if Waverly Road traffic will be obstructed because of the Glenoaks project. President Canady promised to check into it for him. Sue Eby, he said, has been intimidating people who come up to the podium to speak about her. He thanked Councilmembers Schmidt, Ford and Belen, City Clerk Slade, and Mayor Crawford and wished them good luck.

Sandra Schafley of 918 McKim said that if the Sue Eby affidavit is not properly filled out, it may result in her forfeiture of office. She read the definitions of affidavit, perjury, default, and delinquency from the dictionary. Ms. Eby perjured herself by signing that affidavit form. No matter what her attorney told her, the idea of default and delinquency are the same thing. Ms. Eby should forfeit her office.

Lewis Pothoff of 1712 W. Miller thanked President Canady for making his apology tonight. He still objects to the invocation being said at the beginning of the meeting. People on the dais, he said, should not be talking when the public is making comments.

George Warren spoke in defense of Sue Eby. The vote on election night reflected the will of the city. Ms. Eby was advised by her attorney and supported by an attorney general's opinion that she was not in default. The voters expressed their will at the time of the election. What she is accused of has not been proven. He knows her to be an honest person and a great secretary at the Lansing Labor News.

Russell Greear of 3801 Walton said that Sue Eby misled the people of the city and does not want to do anything to correct it. She does not want to go out here and let people know what is going on. He wants to know what is going on with the letters written by him on the city council agenda that have been referred to the Mayor's Office regarding handicapper accessibility of city hall.

Kim Bowyer of 3214 Walker submitted a letter requesting an ethics and criminal investigation into the matter of Councilmember Beal and her use of city telephones to make long distance calls. He also

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

called for the removal of John Mertz, Chairman of the Ethics Board, by virtue of the fact that his term expired in June of 1993. Councilmember Beal also used her Councilmember's account to purchase an answering machine and computer related equipment that is not now, nor never has been in her office. COUNCIL PRESIDENT CANADY REFERRED THIS ISSUE TO THE MAYOR'S OFFICE AND THE ETHICS BOARD.

William Hubbell of 1003 Cavanaugh said he was at the lighting of the Christmas Tree and Silver Bells in the City. He is more concerned about the Early Retirement Program than he is about the use of alcohol in conjunction with the operation of an automobile.

Walter Rhodes of 1427 McIntyre said that his next door neighbor took out a permit to build a carport and built a garage instead. This garage obstructs the view of his house from neighbors, making it more dangerous for him to live there by making it more accessible to criminals. It also makes him more susceptible to fire, because people cannot see if his house is on fire from the street because of the size of the garage his neighbor built. Councilmember Schmidt agreed. She has seen this structure and he has accurately described the situation. PRESIDENT CANADY REFERRED THIS ISSUE TO THE MAYOR'S OFFICE AND THE PHYSICAL DEVELOPMENT COMMITTEE.

Mary Haney of 1312 Roosevelt said she has a report on the Building Department. She has three partners who are trying to get good things done for the north end and does not need Councilmember Beal to get them done. North Lansing is asking for help to make life better, if you cannot help, get out of the way.

Shane Power of 1925 Mary Ave. said that Sue Eby's husband is a building inspector and maybe that is why they are having problems with the building department. Ingham County Prosecutor Donald Martin is working on the Eby matter now.

Ken Vaughan of 114 Garden St. called for the resignation of President Canady. It would be better for his family for him to just drop out of sight rather than go through the legal aspects of his problem. This is similar to the Eby problem. Council should do their civic duty to resolve this situation to the betterment of Lansing. We do not need liars and cheats on City Council. The people are trying to clean the slate now and make sure they have honest forthright representation on city government.

Harold Leeman of 529 N. Francis said that the 1992 T-Bird should not have been purchased, and once it was, it should have been properly identified. He announced the death of Frank Basel. His funeral will be held Tuesday at 11:00 at the First Assembly of God Church.

ADJOURNED 10:45 P.M.
MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF

THE CITY COUNCIL

OF THE CITY OF LANSING

Proceedings, November 29, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
November 29, 1993

The City Council of the City of Lansing met in regular session on Monday, November 29, 1993 and was called to order at 7:10 P.M. by Vice-President Brockwell.

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Ford, Lilly, Schmidt

ABSENT: Council President Canady

The Invocation and Pledge of Allegiance were led by Councilmember Benavides

CONSIDERATION OF LATE ITEMS

By Councilmember Beal

To accept the following under suspension of the rules:

1/ From Councilmember Beal; a letter from Michael J. Sarhan of 1900 Pleasant Grove Rd. regarding code violations at property located at 2200 Belaire Dr.

Carried unanimously

SCHEDULED PUBLIC HEARINGS

A. In consideration of an Ordinance adding a Chapter, Chapter 894, to the Code of Ordinances of the City of Lansing to provide for a Service Charge in Lieu of Taxes for Pennoaks Project

Lloyd Teets of 116 E. Elm said this is too much of a break for the disadvantaged. He does not approve of the location of the project because of the density in the neighborhood.

Jack Cogley from Southfield, MI, Vice-President of MHT Housing, a 501C Non-profit Housing Cooperation, said this project will be operated on Federal funds. They were advised by MSHTA to request this tax abatement. The project will not create any problems for anyone in the first ward, he said.

Harold Leeman of 529 N. Francis said he believes the density level in the area could be a problem with this development. This is not the proper location for this type of use. Furthermore, the $10.00 service fee will not cover the services this project will require from police and fire, etc.

REFERRED TO THE COMMITTEES ON
PHYSICAL DEVELOPMENT AND WAYS AND MEANS

B. In consideration of an Ordinance Amending Chapter 830, Section 830.03 (B) (2), Waiver of Restrictions on Sales of Liquor within 500 feet of a Church or other place of worship provided the Church or other place of worship has adopted a Resolution Irrevocably Waiving Their Objections, Placed the Resolution on file with the City Clerk, and that City Council in its' Discretion approves the License to Sell Alcoholic Beverages

Lee Shunk, Jr. of 601 Leslie St. spoke in opposition to this amendment. This could create a situation of constant conflict between churches and licensed liquor establishments.

Douglas Fairbanks of 525 E. Mt. Hope said this ordinance should be left as it is.

Russell Terry of 121 E. Mt. Hope said these types of uses should not be able to locate within 500 feet of each other.

Sandra Schafley of 918 McKim spoke in opposition to this ordinance because it could wind up having a larger scope than they intended.

Howard Jones of 426 W. Barnes Ave. spoke in opposition to this ordinance. There has been no public uproar that would necessitate this kind of action. City Council should not be engaged in brokering liquor licenses.

Richard Collins of 225 Moores River Dr. said that the neighborhood is left out of the decision making process with this ordinance, but, they have to live with the consequences of it 24 hours per day. He asked if this would permit the Ramstar group to put their bar in on Holmes Rd.? Councilmember Ford said that assuming all of the requirements were met, yes this would allow Ramstar to open their bar. Mr. Collins objected to this ordinance saying it was written with damage control in mind. Council had better start giving consideration to neighborhoods.

Gladys Gillison of 223 W. Barnes said that people who attend church on a regular basis and people who attend bars on a regular basis want to keep their distance from each other. We have a good ordinance now that stands up in court and we should not do away with it. It is relatively easy to obtain a certificate of ministry. Anyone could open a church and serve liquor from it.

Councilmember Beal said that this was initiated because some people feel that there is a need for a church along Michigan Ave. that can provide services to the homeless. However, she feels that this ordinance could open up a 'Pandora's box'.

Jan Hayhow of 113 S. Washington Square, President of the Downtown Business Association, and President of Michigania, spoke in opposition to this ordinance. They do not believe that the property across from the Lansing Center is the appropriate site for a church. There must be a better site in Lansing that will suit this church equally well.

Lloyd Teets of 116 E. Elm St. said he is opposed to this ordinance. It looks like nothing more than special interest legislation. The present ordinance is excellent.

Don Hines of 1000 Michigan National Tower spoke in support of this ordinance. This was requested by his clients, Mt. Hope Church in the City. The present ordinance and state statute were developed for the protection of churches in the city. All this would do is allow churches to waive that protection and file that waiver with the City Clerk's Office. The only waiving this ordinance allows is waiving by the church establishment. Mt. Hope Church in the City wants to be located in the 300 block of Michigan Ave. across

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

from the Lansing Center. This ordinance gives Council the ability to deny licenses to establishments if they feel that someone has bought the church's waiver.

David Hayhow of 4584 Nakoma Dr., Okemos said that he believes that part of this is a land use issue and a focus on downtown growth. The downtown area is on the verge of a possible breakthrough because of the cooperation of organizations working together to develop downtown Lansing, particularly the area near the Lansing Center, which should be the focus of tremendous development in the downtown area. This church is already operating on this site as far as he knows. This is an unfortunate use of that space and an unfortunate use of the ordinances of the city.

Councilmember Belen said that if the church is already operating out of this site now, the Building Department better get over there and cite them. The city has never given them any land use permits.

Councilmember Benavides said that, if the church is assembling as a congregation at this site, there is a problem. He asked the administration to investigate this allegation to see if the church is congregating at the site.

William Coultas of 1895 Penobscot, Okemos said that the ordinance should be left as it is now. It has served the city well for a long time. If the Planning Department had seen fit last spring when this issue first came up, to recommend a special land use for this property instead of this ordinance amendment, we would not be going through this. He is the President of Lansing 2000 and feels that this is not the best use of this property. Soon Council will be hearing that a lot of good things are happening on Michigan Ave. and this change should not be one of them.

Carol Shull of 1108 N. Capital spoke in opposition to the ordinance.

Harold Leeman of 529 N. Francis said this property would be more valuable and better utilized with a different use. Council should give the long term effects of this ordinance serious consideration.

Paul Scott of 412 W. Kilborn spoke in opposition to this ordinance. Council gets into trouble time and again when amending ordinances to suit the needs of a particular institution. This ordinance would put up blockades to the goals and objectives of the 21st century and should not be passed.

Reverend Allen Rice of 4120 Arleen Dr. said that State statute says that the state must decide whether the church would be negatively affected by a liquor license going in within 500 feet. Lansing has a strong procedure for retaining this protection of the church and should uphold it.

Councilmember Ford said this ordinance will be taken up at the General Services meeting this Wednesday. The committee had a lot of concerns and questions about this ordinance. They agreed to bring it out for public hearing only to get input from the public. This was not instigated because of the Ramstar situation on Holmes Road. It looks almost like spot zoning to him. He does not expect this ordinance to be passed out of the General Services Committee.

Councilmember Schmidt said that Mr. Hines brought this issue to them as an attorney for the Church. She thought there would be representatives from the Church here tonight. She is curious as to why the Church would find it necessary to ask for this waiver. There is no one here to speak for them. She believes they have been assembling at this site. She asked that representatives of the Church attend the General Services meeting this Wednesday.

Councilmember Lilly said that there may be other churches meeting in establishments that have liquor licenses. Some churches meet in hotels that have liquor licenses. How can this be permitted without a special land use permit? Councilmember Ford said that if we have churches that are doing business in hotels, or, locations that serve liquor, that is a zoning and a City Attorney's issue. He has serious concerns about this coming out of committee at this time.

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

PUBLIC COMMENT

There were no action items on tonight's agenda to be commented upon.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as being read in full and that the proper referrals be made by Vice President Brockwell

Carried unanimously

A. Letter from Watertown Charter Township requesting support for a resolution calling for a Regional Public Hearing on the proposed Incinerator in Charlotte, MI

REFERRED TO THE MAYOR AND
THE COMMITTEE ON INTERGOVERNMENTAL RELATIONS

B. Z-11-93, Lot #1 of Supervisors Plat #8; Lot 4 & 5 of Salisbury's Subdivision (vacant property on Kaynorth St.) Request to rezone from DM-3 to F Commercial District filed by Tom Harke of 1888 Wellman Rd. to allow for development of commercial uses on property

REFERRED TO THE MAYOR AND THE PLANNING BOARD

C. Letter from Robert Foltz of 1701 Mary Ave. regarding the use of the Red Cedar Golf Course for a Baseball Stadium

REFERRED TO THE CITY ATTORNEY

D. Letter from Ione Baum of 215 W. Lincoln regarding pre-funding of Post Retirement Healthcare

REFERRED TO THE MAYOR AND
THE COMMITTEE ON WAYS AND MEANS

MAYOR'S COMMENTS

Mayor Crawford spoke regarding the request for vacation of the overflow parking lot at Francis Park. Councilmember Ford said he has received communications from these people about their request. They are willing to develop this land. To his knowledge these lots are not widely used. Mayor Crawford said they are used when there is a major event at Francis Park, or, when the Governor hosts a major event. Councilmember Ford suggested that the city look at re-location of the parking lots.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

REFERRALS:

Public Driver (1)

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of November 22, 1993 for Review

RECEIVED AND PLACED ON FILE

C. Letter from the City Attorney re: Loitering in a Drug Area Ordinance

RECEIVED AND PLACED ON FILE

D. Financial Statement and Independent Auditors Report from the Lansing Housing Commission

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

E. Letters from the Mayor re:

1/ Transfer of funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

2/ Trash Violation Fee (V-28) $1,955.79

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

3/ Ingham County Drain Commission Plans for Groesbeck and Tollgate Drains

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

4/ Sale of Mifflin Park

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

5/ Frances Park Gravel Parking Lot

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

6/ Sale of Property 228 E. Hazel St.

REFERRED TO THE COMMITTEE ON PHYSICAL DEVELOPMENT

COMMITTEE REPORTS

There were no Committee Reports

RESOLUTIONS

There were no Resolutions

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

There were no Ordinances for Passage

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Beal; a letter from Michael J. Sarhan of 1900 Pleasant Grove Rd. regarding code violations at property located at 2200 Belaire Dr.

REFERRED TO THE CITY ATTORNEY AND THE BUILDING SAFETY DEPARTMENT

MOTION OF EXCUSED ABSENCE

By Councilmember Belen

To excuse Council President Canady from tonight's proceedings.

Carried unanimously

MAYOR'S COMMENTS

Mayor Crawford announced that beginning December 6, 1993 the Parks and Recreation Department will accept registration for their various programs over the telephone using credit card payments.

COUNCILMEMBER'S COMMENTS

Councilmember Beal said that she attended the opening night of the Wonderland of Lights at Potter Park Zoo. She urges everyone to take advantage of this different perspective of the Zoo.

Councilmember Schmidt sent her thanks and congratulations out to everyone who helped arrange this display of luminaries at the Zoo, she is proud of their initiative.

Councilmember Lilly applauded the efforts of the Potter Park Zoo for this marvelous event. It takes approximately 45 minutes to casually walk around and look at all the lights in this very interesting exhibit.

Councilmember Belen said she missed the Zoo lights because she was out of town. Lansing, she said, is very fortunate to have such an active Zoo Association and she urged everyone who appreciated the Wonderland of Lights display to make a contribution to the Zoo. She expressed her thanks to the Parks and Recreation Department for doing a tremendous job.

Councilmember Brockwell said that 1,400 cars went through the Wonderland of lights at Potter Park Zoo during the first two days of the exhibit. He thanked all of the volunteers that worked the exhibit over the holiday.

PUBLIC COMMENTS

William Bernstein of 420 Baker St. made his accustomed speech about the building department and his trial for disturbing a public assembly.

Russell Terry of 121 E. Mt. Hope said there are a lot of kids shooting kids in the schools and maybe some of them will bring their guns to a Council meeting and start shooting at Councilmembers. The situation with President Canady and City Clerk Elect Eby proves one thing; the City Attorney does not check into people's backgrounds.

Paget Maynard of 902 W. Shiawassee said that Council President Canady has had outstanding parking tickets since he last ran for office. If it is okay for him it should be okay for Sue Eby, because what is good for one is good for all.

Tim Lewis of 500 S. Pine sang a song entitled "Eby the New Clerk" to the tune of "Frosty the Snowman".

Darryl Burgess of 1407 Prospect spoke regarding the sale of the Civic Center, saying, the people of the City will get their Civic Center back. Councilmember Ford informed Mr. Burgess that the extension of the contract for the sale of the Civic Arena was not because of back taxes owed by Mr. Ferguson or Mr. Eyde, it was at the request of the City because of the renovation to the Lansing Center and the City's need to have a place to hold their events.

Lloyd Teets of 116 E. Elm St. announced that his case was dismissed by Judge Manderfield today because Council President Canady failed to appear in Court even though he was subpoenaed

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

to do so. He hopes Mr. Canady will appear for his next trial. It is pay back time.

Floyd Burns of 103 E. North St. protested the building of a baseball stadium. This money could be better spent on education and housing for the homeless, the elderly, and the disabled.

George Warren of 831 Crown Blvd., E. Lansing spoke in defense of City Clerk Elect Sue Eby. It is important for the viewing public and City Council to know that Ms. Eby will hold a press conference later this week. The public should withhold condemnation of individuals until they have had time to give their side of the story. She has told everyone that she acted pursuant to her Attorney's opinion which was supported by an opinion issued by Attorney General Frank Kelly. That opinion said that she was not in default at the time she signed the affidavit. Her supporters want her to know that they will be standing by her. She was elected by thousands who look forward to having her serve.

Ken Vaughan of 114 Garden St. said that it has come to his attention that Council has no intention of doing anything about the Sue Eby situation.

Shane Power of 1925 Mary Ave. asked for an injunction against Ms. Eby's taking office until this situation is resolved. He wants an investigation into the charges of Cathy Miller alleging that Ms. Eby and her husband Jim McCue chased her down and blockaded her in a driveway. City Council should be looking carefully into these matters and an injunction against her should be implemented until the entire matter is resolved.

Mary Haney of 1312 Roosevelt agreed that City Clerk Elect Eby should be prevented from taking office until the entire matter is resolved. Mayor Elect Hollister and all newly elected city officers should release statements regarding their position on this matter. Police Chief Boles made a statement to the State Journal that the public should give President Canady a break when he was detained in the city jail recently, how about giving a break to Sergeant Clyde Smith and Officer Bruce Ferguson.

Clyde Smith of 6615 E. Galway Circle asked about the status of the payment of his attorney's fees. The General Services Committee asked for a billing from his attorneys. The attorneys submitted their response on November 1, 1993 and payment has not been forthcoming. Council should listen to the City Attorney when he gives them advice. Councilmember Ford said that the General Services Committee has not received a reply from the Abood Law Firm to his knowledge. Mr. Smith responded that the firm sent a letter on November 1st, and he has a copy of the letter they sent.

Lee Shunk of 601 Leslie St. suggested an ordinance that would fine Councilmembers for not maintaining clean reputations.

Sandra Schafley of 918 McKim accused Mr. Warren of twisting words in the Eby issue. The people of the city should have been given all of the facts so they could make an informed decision. That is why they are upset. There are many instances of violations of the ordinance requiring licensed liquor business to maintain a 500 foot distance from churches and they should be checked out. She asked for clarification of parking fees for events held at the Lansing Center.

Harold Leeman of 529 N. Francis said that last Tuesday the Board of Water & Light held a hearing on their proposed water rate increase of 21% over the next three years. This hearing should have been televised on channel 28. Citizens should question whether, or not, a surcharge is being charged to suburban customers. If not, what is the point of living in the city of Lansing? The leaf pickup should be extended for a couple of weeks. If Council President Canady is going to gavel Mr. Teets down, he should show up in court and follow through on the trial process. The judge is very angry at President Canady about this.

ADJOURNED 9:10 P.M.

MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, December 6, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
December 6, 1993

The City Council of the City of Lansing met in regular session and was called to order by President Canady at 7:00 P.M.

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

ABSENT: None

The Invocation was led by Councilmember Schmidt and the Pledge of Allegiance was led by Boy Scout Troop #417 from St. Casimir Church

CONSIDERATION OF LATE ITEMS

By Councilmember Benavides

To accept the following under suspension of the rules:

1/ From Councilmember Benavides; the Reappointment of Harry Spenny to the Income Tax Board of Review

2/ From Councilmember Ford; a Resolution suspending the probationary period for City Employees hired prior to 11-15-93

3/ From Councilmember Brockwell; an Ordinance providing for the Maintenance of Certain Rates and Charges for Services Furnished by the City Sewage Disposal System

4/ From Councilmember Lilly; Communications regarding Wastewater Treatment Rate charges received from: Mayor Elect Hollister, Lansing Regional Chamber of Commerce, and the Wohlert Corporation

5/ From Councilmember Lilly; a substitute for Item #XII B-3 in tonight's packet

6/ From Councilmember Lilly; a request that Item #VI-A be pulled from tonight's agenda

Carried unanimously

SPECIAL CEREMONIES

There were no Special Ceremonies

SCHEDULES PUBLIC HEARINGS

A. In consideration of the sale of Lots 6 & 7 of R.E. Olds Plat, former Diamond Reo Site

THIS ITEM WAS PULLED AT THE REQUEST OF COUNCILMEMBER LILLY

B. In consideration of the extension of amendments to Chapter 1220 of the Planning and Zoning Code—Historic District Ordinance

Gary Andrews of 560 Brookland Boulevard spoke about the historic value of the Diamond Reo site and said historical documentation of the plant should take place as approved by the City Council in 1980. He is in favor of the creation of historic districts and thinks a monument should be erected commemorating the Diamond Reo plant.

Paul Emery of 304 E. Grand River Avenue spoke as the chair of the Business and Arts Development Committee of North Lansing. They would like to start the processing of a local historic district in north Lansing and also would like the current Historic District Ordinance extended.

Tony Garczynski of 301 Leslie spoke as a member of the Lansing Historic District Commission and requested extension of the Ordinance to give the commission more time to work with the City Attorney to establish policy in accordance with the State statute and to meet the specific needs of the City.

Harold Leeman of 529 N. Francis wants the administration to offer more explanation of action items on the agenda because he feels not enough information was provided on the Historic District Ordinance for him to comment on the proposed action.

Ken Vaughan of 114 Garden is in agreement that an historic marker should be placed at the Diamond Reo site that is big enough to read from the street. He said he hopes that Grand River Avenue from Washington Avenue east to Pennsylvania Avenue is considered for historic district designation.

REFERRED TO THE COMMITTEE ON
PHYSICAL DEVELOPMENT

PUBLIC COMMENT

Mark Eggleston, 4001 Heathgate stated that he is neither for nor against revocation of Neo's cabaret license, however, he thinks there should be security guards patrolling outside and that there should be improved lighting in the parking lot if it is allowed to open again.

Lynne Martinez, P.O. Box 10178 said she supports the acquisition and sale of 1026 N. Capitol and 225 W. Maple, and the transfer of property between 209 W. Grand River and 1129 N. Capitol. She urged immediate passage of the resolutions.

Tom Shields, 1118 Riley expressed concern regarding the proposed sewage rate changes. He does not think special rate considerations should be given areas located outside the City that use the City's water and sewage services.

Lewis Pothoff, no address given, approves of the placement of a community policing officer, and he would like to see more.

Timothy Terry, 606 S. Mifflin, addressed the council about damage done to his car after driving over a sewer grate and the disposition of his claim.

Harold Leeman, 529 N. Francis said he hopes the new council will address the water and sewage rate structure. He questioned what the City's liability will be regarding Fairview Park. He thinks the $10.00 service fee at the Pennoaks project is too small. He also referred to a request before the Zoning Board of Appeals for a

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

variance of 15 parking spaces at the location of the Pennoaks project. Regarding Clyde Smith's attorney fees, Mr. Leeman said the City should receive an itemized statement from the Abood Law Firm of the charges before the council approves payment.

Lloyd Teets, 116 E. Elm complimented the council for taking no action to amend Chapter 830 of the Code of Ordinances. He also stated the City should be looking at what the cumulative effect of collecting service fees in lieu of taxes is on the taxpayers. He further commented that the City Council should have taken responsibility for the sewer rate structure but hoped the new Council will take action since he believes the Black & Veatch study is flawed.

Gretchen Couraud, 510 Washtenaw, spoke for the Lansing Regional Area Chamber of Commerce, Industrial Council on the sewer rate ordinance. She explained that the ordinance amendment on the agenda only removes the sunset provision to the ordinance. She said low-interest loans from the Department of Natural Resources will be jeopardized if the sunset provision is not removed, resulting in cost increases for taxpayers and rate payers and no rate structure for charging for sewage come January 1, 1994. It is the Chamber's recommendation that Council commission a new study or reevaluate the cost of services study with an independent task force or committee including everyone affected, both residents and the business community, if there are other issues to be addressed.

Gary Boszak, 920 Townsend, spoke as a representative of the GM plants in Lansing. He requested that the sunset provision of the current sewer rate ordinance be removed in order to insure that the City will continue to have access to low-interest loans from the State. He said that industry is not looking for a break, just equity for all customers. He also said that GM and the industrial council members are willing to work with the City on future evaluations of the rate structure. He supports utility rates which are fair to all classes of customers based on the cost to serve those customers.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as being read in full and that the proper referrals be made by President Canady

Carried unanimously

A. Claim filed by attorneys on behalf of their client, Mirium McKinnis

REFERRED TO THE CITY ATTORNEY

B. Claim filed by attorneys on behalf of their client, Armando Orozco

REFERRED TO THE MAYOR

C. Letter from Walter L. Riley of 2127 Quentin Ave. requesting that Council take action regarding the issue of the property taxes owed to the City by City Clerk Elect, Sue Eby

RECEIVED AND PLACED ON FILE

D. Letter from Kenneth E. Vaughan & Concerned Citizens re:

—Requesting that the City Attorney take action to insure adjudication of the City Clerk Elect, Sue Eby property tax issue

RECEIVED AND PLACED ON FILE

—Requesting that forfeiture of office proceedings be brought against the City Council President

REFERRED TO THE COMMITTEE OF THE WHOLE

E. Letter from attorneys on behalf of their clients Keith and Joseph Family Estates regarding their intent to establish a condominium project

REFERRED TO THE MAYOR AND THE PLANNING BOARD

F. Letter from Muriel E. Kolemainen of 334 Wildwood Drive regarding the Civic Arena

RECEIVED AND PLACED ON FILE

G. Letter from Ruth Cutler of P.O. Box 203, Cedarville, MI regarding the pre-funding of post retirement health care and an increase in the monthly pension checks of older retirees

REFERRED TO THE MAYOR AND THE COMMITTEE ON WAYS AND MEANS

H. Letter from B.O.C. Lansing Automotive Division of General Motors Corporation regarding wastewater treatment rates

REFERRED TO THE MAYOR AND THE COMMITTEE ON PUBLIC SERVICES

I. Request for Non-Profit Status Recognition from Tri-County Community Advocates for People with Developmental Disabilities, Inc. of Lansing

REFERRED TO THE CITY ATTORNEY

J. Letter from Robert S. Calder of 207 Rumsey requesting that City Clerk Elect, Sue Eby not be allowed to take office

RECEIVED AND PLACED ON FILE

K. Notice from Continental Cablevision of Michigan of additional FCC Form 329 Complaints received by them

REFERRED TO THE CABLE ADVISORY BOARD

EXECUTIVE ASSISTANT TO THE MAYOR'S COMMENTS

Mrs. Flaherty outlined Mayor Crawford's letters on tonight's agenda.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for action on licenses and bonds:

1. REFERRALS:
   Public Driver (1)
   Transfer Class C (2)

REFERRED TO THE COMMITTEE ON GENERAL SERVICES

B. Information-only Items from the City Clerk:

Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of November 29, 1993 for Review

RECEIVED AND PLACED ON FILE

C. Letter from Marilynn Slade, Secretary of the Board of Ethics submitting Board of Ethics Opinion #19

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

D. Letter from the City Attorney re: Erick Williams v City of Lansing

RECEIVED AND PLACED ON FILE

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

E. Letter from Therese Clingman-Porn, Chair of the Cable Advisory Board submitting recommendations for 1993-94 Community Cablecasting Funds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

F. Letters from the Mayor re:

1/ Resignation of James Winckler from the Waterfront Development Board

RECEIVED AND PLACED ON FILE

2/ Letter of appreciation to the Recycling Staff

RECEIVED AND PLACED ON FILE

3/ Fabulous Acres Park

REFERRED TO THE COMMITTEE ON PUBLIC SERVICES

4/ Authorization to petition for Tollgate Drain Improvements

REFERRED TO THE CITY ATTORNEY AND THE COMMITTEE ON PHYSICAL DEVELOPMENT

5/ Notice of intent to issue Limited Tax General Obligation Bonds—Combined Sewer Overflow Project

REFERRED TO THE CITY ATTORNEY

6/ Public Improvement I, Sidewalk Improvements area bounded by Mt. Hope, Boston Blvd., Moores River Dr., Park Ave.

REFERRED TO ATTORNEY & PHYS. DEV.

7/ Change of Intent Central Garage Vehicle Replacement

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

8/ Acquisition of Property—500 Block of W. Genesee St.

REFERRED TO ATTORNEY & PHYS. DEV.

9/ Change of Intent Copy Center, Operational Services

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

COMMITTEE REPORTS

RESOLUTION #657A
REPORT OF COMMITTEE

THE COMMITTEE ON GENERAL SERVICES, to whom was referred the ordinance to amend Chapter 830 of the City Code to allow a waiver of the 500 foot restriction on location of liquor licenses near churches or other places of worship,

REPORTS AS FOLLOWS: The Committee examined the record of the public hearing on this amendment, and received additional testimony from Donald Hines, who spoke in favor, and several other citizens and people from the business community, who spoke in opposition to the amendment. The Committee does not support the amendment, and has placed this matter on file. This report is for information only, and no Council action is required.

Signed: Charles Ford
Alfreda Schmidt
Robert Brockwell

BY COUNCILMEMBER FORD:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #658
REPORT OF COMMITTEE

THE COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the Mayor's reports on acquisition of Fairview Park and the plan for the Groesbeck and Tollgate Drains,

REPORTS AS FOLLOWS: The Committee is sponsoring a resolution that formally accepts transfer of the Fairview Park property from the State of Michigan subject to the conditions stated in the deed. The Committee also reports that it is requesting the City Attorney to develop an instrument to convey a portion of the property to the Ingham County Drain Commissioner. The Attorney is further requested to bring said instrument to the Committee for review and recommendation to the Council. This report is for information only, and no Council action is required at this time.

Signed: Richard J. Lilly, Chair
Mark H. Canady
Lucile E. Belen

BY COUNCILMEMBER LILLY:

That the report of the Committee be received.

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Ford, Lilly, Schmidt

NAYS: Councilmember Canady

RESOLUTION #659
REPORT OF COMMITTEE

THE COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the Mayor's report on receipt of a Michigan DNR grant in the amount of $187,500 to allow renovation of Fenner Arboretum,

REPORTS AS FOLLOWS: The Committee endorses acceptance of the grant under the conditions specified in the recommended resolution, including payment of the local match of $62,500 from Parks Millage revenue. This matter is hereby referred to the Committee on Ways and Means for final review of the grant's financial impact. This report is for information only, and no Council action is required at this time.

Signed: Richard J. Lilly, Chair
Mark H. Canady
Lucile E. Belen

BY COUNCILMEMBER LILLY:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #660
REPORT OF COMMITTEE

THE COMMITTEE ON PHYSICAL DEVELOPMENT and THE COMMITTEE ON WAYS AND MEANS, to whom was referred the ordinance to add a new Chapter 894 to the Code of Ordinances for the purpose of permitting a service charge in lieu of taxes for a project known as Stepping Stones, and also known as Pennoaks, which will consist of 16 transitional dwelling units for homeless single mothers of low income with not more than two minor children, pursuant to the provisions of the State Housing Development Authority Act of 1966, as amended,

REPORTS AS FOLLOWS: Both Committees have reviewed the proposed ordinance and recommend that the ordinance be adopted.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Signed: By the Committee on Physical Development:
Richard J. Lilly, Chair
Lucile E. Belen

By the Committee on Ways and Means:

Tony Benavides, Chair
Robert Brockwell
Alfreda Schmidt

BY COUNCILMEMBER LILLY:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #661
REPORT OF COMMITTEE

THE COMMITTEE ON PUBLIC SAFETY, to whom was referred the report and recommendation from the Mayor and Chief of Police to assign a new Community Policing Officer, funded by the Community Development Block Grant, in the area bounded by Grand River Avenue on the north, Cleveland on the east, Saginaw Street on the south, and the Conrail tracks on the west,

REPORTS AS FOLLOWS: After reviewing the analysis of service calls in neighborhoods proposed for assignment of Community Policing Officers, the Committee concurs with the Mayor and the Chief of Police that an officer be assigned immediately to the above-described neighborhood. This matter is hereby referred to the Committee on Ways and Means with our request to prepare the appropriate documents to charge the CDBG for the costs of the new Community Policing Officer.

Signed: Alfreda Schmidt
Tony Benavides
Charles Ford

BY COUNCILMEMBER SCHMIDT:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #662
REPORT OF COMMITTEE

THE COMMITTEE OF THE WHOLE, to whom was referred the ordinance to amend Chapter 1042, Section 1042.04 of the Code of Ordinances for the purpose of maintaining certain rates and charges for services furnished by the City Sewage Disposal System,

REPORTS AS FOLLOWS: The Committee recommends that the ordinance be adopted.

Signed: Mark H. Canady
Ellen Beal
Lucile E. Belen
Tony Benavides
Robert Brockwell
Charles Ford
Rick Lilly
Alfreda Schmidt

BY COUNCILMEMBER BROCKWELL:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTIONS

RESOLUTION #663
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Tim Terry filed a claim against the City in the amount of $1,341.51 for damages to his car resulting from driving over a sewer grate near South Foster and East Kalamazoo Streets; and

WHEREAS, after investigation and analysis, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the claim and the legal recommendation were reviewed by the Committee on General Services; and

WHEREAS, the claimant appeared before the Committee, furnishing testimony in support of the claim; and

WHEREAS, under the particular circumstances of this situation, the Committee recommends an offer to settle the claim in the amount of $670.00;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby directs the City Attorney to make an offer to settle the claim of Tim Terry in the amount of $670.00; and

BE IT FURTHER RESOLVED the City Attorney shall make payment of the approved amount after appropriate releases are signed by the claimant; and

BE IT FINALLY RESOLVED if the claimant does not accept said offer by 5:00 PM on Wednesday, December 29, 1993, the entire claim shall be considered denied.

By Councilmember Ford

Carried unanimously

Item XII A-2, Claim Denial—Scott Felver, was pulled from the agenda at the request of Councilmember Ford

RESOLUTION #664
BY COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Clerk has forwarded three applications for public driver licenses, which have been routinely processed by the Lansing Police Department without objection and are ready for final action by this Council; and

WHEREAS, the Clerk has informed the Council that the required non-refundable fees to process the public driver applicants have been paid in full; and

WHEREAS, the Committee on General Services has reviewed the applications and concurs in the Police Department's recommendations that the licenses be approved;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the following applications for license:

PUBLIC DRIVER: Charles R. Knott, Syed A. Azam, Robert E. Hymer, Jr.

By Councilmember Ford

Carried unanimously

Item XII A-3, Claim Approval—Clyde Smith, was tabled by motion of Councilmember Schmidt and a 6/2 vote of City Council. It can

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

be found under the Tabled Items portion of these proceedings

Item XII A-5, Approving the Recommendations of the General Services Hearing Committee on the Revocation of Cabaret License for Neo's Inc., was pulled from the Agenda at the request of Councilmember Ford

RESOLUTION #665
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

PUBLIC IMPROVEMENT I

WHEREAS, the Public Service Department has established the need for construction and improvement of curb and gutter, storm sewer and sanitary sewer for Capitol Avenue from West North Street to the South end of Capitol Avenue; and

WHEREAS, the City Council has determined that this proposed public improvement will benefit especially properties in the vicinity of the work to be done and that a benefit district pursuant to Chapter 1026 of the Lansing Code of Ordinances should be established to be specially assessed for the public improvement;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby determined it to be of a public necessity to construct the following public improvements: curb and gutter, storm sewer and sanitary sewer in Capitol Avenue from West North Street to the South end of Capitol Avenue; and

BE IT FURTHER RESOLVED that the cost of these improvements is to be financed by special assessment to the benefitted property owners, and that the City's public share of the project shall be paid from accounts #590-453670-973000-20100 and 406-933601-974100-51000.

BE IT FINALLY RESOLVED, that the Department of Public Service is hereby authorized to prepare necessary plans and specifications for these improvements, and to determine the cost of said project in sufficient detail to establish the special assessment district and the applicable assessment to the properties in the district, and to furnish said information to the Mayor and City Council.

By Councilmember Lilly

Adopted by the following vote:

YEAS: 7

NAYS: 1

RESOLUTION #666
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

TRANSFER OF PROPERTY BETWEEN 1026 N. CAPITOL AVENUE AND 225 WEST MAPLE STREET

WHEREAS, the City of Lansing has been working with Emanuel First Lutheran Church, Community Housing Partners, and Franklin Street Community Housing Cooperative since May 1993, to relocate residential housing structures from the school and day care facility expansion site of Emanuel First Lutheran Church; and

WHEREAS, agreements have been reached with each of the non-profit housing corporations and the City of Lansing as to the location, number of units, and "not to exceed" cost estimates for moving the structures at 225 West Maple Street and 1026 North Capitol Avenue; and

WHEREAS, the City has drawn up and is in the process of executing contracts with its sub-recipient to complete the site preparation, foundations, and moving of these two structures; and

WHEREAS, the sub-recipient has indicated that contractors are available and have been scheduled to begin the moving process as soon as the City has obtained the title to these structures through donation from the Emanuel First Lutheran Church; and

WHEREAS, the City Council on April 12, 1993, recommended moving these structures if possible;

WHEREAS, the Committee on Physical Development has reviewed and monitored the proposed house moving activities, and concurs therein;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby accepts the donation of the structures at 1026 North Capitol Avenue and 225 West Maple Street upon proof of clear title, with the understanding that they will be moved and relocated to sites on existing vacant lots in the general neighborhood from which they are moved;

BE IT FINALLY RESOLVED that the Mayor, on behalf of the City of Lansing, is authorized to execute all necessary contracts and documents with Emanuel First Lutheran Church, Community Housing Partners, and Franklin Street Community Housing Cooperative to effectuate the aforestated acquisition of the houses and their removal and relocation, subject to the prior approval as to form of the contracts and documents by the City Attorney.

By Councilmember Lilly

Carried unanimously

RESOLUTION #667
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

TRANSFER OF PROPERTY BETWEEN 1129 N. CAPITOL AVENUE AND 209 WEST GRAND RIVER AVENUE

WHEREAS, the City of Lansing is the title holder of contiguous parcels with street addresses of 209 West Grand River Avenue and 1129 N. Capitol Avenue; and

WHEREAS, the Development Division initiated a 1988 lot split which moved the common boundary between these two parcels and added twenty (20) feet to 1129 North Capitol on the West side of the parcel; and

WHEREAS, the City, in 1989, sold the property at 209 West Grand River by land contract to the Franklin Street Community Housing Cooperative but the legal description in the land contract reversed the 1988 lot split and moved the common lot line between these parcels twenty (20) feet to the East; and

WHEREAS, the Franklin Street Community Housing Cooperative has agreed to return to the City the twenty (20) foot section for nominal consideration (One and no/100 Dollars); and

WHEREAS, this parcel (1129 North Capitol Avenue) is the intended site for the relocation of a house but requires the twenty (20) feet be conveyed to the City so that the lot is a sufficient size for the placement of a residential structure on the lot;

NOW THEREFORE BE IT RESOLVED that the City Council hereby

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

approves the City's acquisition from the Franklin Street Community Housing Cooperative for the sum of One ($1.00) Dollar the following described parcel of property:

WEST 20 FEET OF THE EAST 102.5 FEET OF LOT 1, BLOCK 35, ORIGINAL PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN.

subject to the condition that all taxes owed by Franklin Street Community Housing Cooperative on 209 West Grand River Avenue be paid in full prior to closing and the acquisition documents are approved as to form by the City Attorney;

BE IT FURTHER RESOLVED that because the subject parcel was sold to Franklin Street Community Housing Cooperative by the City, the City Council waives the requirement of an environmental assessment and an independent appraisal prior to acquisition;

BE IT FURTHER RESOLVED that the City expressly grants Franklin Street Community Housing Cooperative any permission under the Land Contract for 209 West Grand River Avenue between the parties to transfer and assign the parcel to the City;

BE IT FINALLY RESOLVED that the Franklin Street Housing Cooperative is granted permission to assign to the property owner of 1125 North Capitol Avenue, the following described parcel:

WEST 20 FEET OF THE EAST 102.5 FEET OF LOT 2, BLOCK 35, ORIGINAL PLAT, CITY OF LANSING, INGHAM COUNTY, MICHIGAN.

By Councilmember Lilly

Carried unanimously

By Councilmember Lilly

To reconsider the vote on this resolution

Carried unanimously

By Councilmember Lilly

To use a substitute resolution for the one originally contained in the packet

Carried unanimously

By Councilmember Lilly

To place an affirmative roll on the substitute resolution

Carried unanimously

RESOLUTION #668
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City has received from the Department of Natural Resources for the State of Michigan a certain deed, dated October 15, 1993, for the property commonly known as Fairview Park; and

WHEREAS, the deed contains certain restriction as the use of the property for park or recreational purposes and also provides for the City's right to convey a portion of the property to the Ingham County Drain Commissioner upon certain conditions; and

WHEREAS, the City Council by Resolution #670 of 1992 authorized the acquisition of Fairview Park;

NOW, THEREFORE, IT IS HEREBY RESOLVED that the City accept the October 15, 1993 deed of transfer of Fairview Park from the Department of Natural Resources of the State of Michigan subject to the condition and restriction therein contained.

By Councilmember Lilly

Adopted by the following vote:

YEAS: 7

NAYS: 1

RESOLUTION #669
BY THE COMMITTEE ON WAYS AND MEANS:

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

That the following transfers be approved:

$2,072 from Parks & Rec.-Bgt. Ctrl. 101-783860-992200-0
(from A/C 101-783813-746000-0)

$2,072 to Public Service-Bgt. Ctrl. 101-453603-002200-0
(to A/C 101-453612-746300-0)

Funds for electrical improvements at Foster Community Center.

$5,000 from Gen. Fd.-Est. Rev. 101-0-170001-0
(from revenues in 101-0-675000-0)

$5,000 to Parks & Rec.-Bgt. Ctrl. 101-783860-992200-0
(to A/C 101-783810-741880-0)

Donation made Nov. 18, 1993, from Rothenberger Company for improvements at Donora Park.

By Councilmember Benavides

Carried unanimously, Councilmember Lilly absent for the vote on this item.

RESOLUTION #670
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, The Lansing Code of Ordinances, Section 1063.09 provides that solid waste, recyclable materials and/or yard waste which accumulates in the City right of way is a public nuisance and is subject to removal and/or abatement;

WHEREAS, the Public Service Department has informed City Council that the appropriate 7 day notices have been mailed to residences where solid wastes, recyclable materials and/or yard wastes have been allowed to accumulate in violation of Chapter 1063 of the Lansing Code of Ordinances;

WHEREAS, the Public Service Department has informed the City Council that the trash violations have not been removed from the public right of way within the requisite time period;

WHEREAS, subsequently, the Public Service Department has incurred the expenses of removing the trash violations from the City right of way;

NOW, THEREFORE, BE IT RESOLVED that pursuant to Section 1063.09(b) of the Lansing Code of Ordinances the following expenses incurred by the Public Service Department in the removal and/or abatement of waste which were in the public right of way shall be placed on the next tax roll, July 1994, of the City and shall be a lien upon the property:

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

1409 Walsh St. 3301-22-207-112-08
Violation #60680 $193.19

1123 W. Allegan 3301-17-402-301-9
Violation #16208 $199.67

1611 W. Washtenaw 3301-17-331-101-4
Violation #16426 $194.99

3206 Ronald 3301-31-329-121-7
Violation #16445 $193.28

316 S. Butler Blvd. 3301-17-430-251-4
Violation #16453 $194.80

417 W. Hillsdale 3301-16-362-101-7
Violation #16203 $197.12

1114 Lathrop 3301-22-254-171-3
Violation #16176 $199.67

306 S. Butler Blvd. 3301-17-430-281-1
Violation #16124 $194.99

6203 Grovenburg Rd. 3305-08-101-391-0
Violation #16447 $193.28

511 Jason Ct. 3301-21-427-020-3
Violation #16458 $194.80

By Councilmember Benavides

Carried unanimously

RESOLUTION #671
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing Community College Foundation has requested a resolution of recognition as a non-profit organization operating in the Lansing community for the purpose of obtaining a gaming license; and

WHEREAS, the City Attorney has reported that, based on a review of the documentation submitted, the applicant qualifies as a non-profit organization;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby recognizes the Lansing Community College Foundation as a non-profit organization operating in the Lansing community.

By Councilmember Belen

To recuse Council President Canady from the vote on this item because his mother sits on the Board

Carried unanimously, Council President Canady abstaining

By Councilmember Belen

To place an affirmative roll on the Resolution

Carried unanimously, Council President Canady abstaining

ORDINANCES FOR INTRODUCTION

There were no Ordinances for Introduction

ORDINANCES FOR PASSAGE

By Councilmember Lilly

That we proceed to the passage of Ordinances.

Carried unanimously

By Councilmember Lilly

That the Ordinance when read be considered as read in its entirety.

Carried unanimously

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT AND THE COMMITTEE ON WAYS AND MEANS

By Councilmember Lilly

Resolved by the City Council of the City of Lansing that an Ordinance to Add a Chapter, Chapter 894 to the Codified Ordinances of the City of Lansing, Michigan for the Purpose of Providing for a Service Charge in Lieu of Taxes for a Project Known as Stepping Stones a/k/a Pennoaks Project, Transitional Housing Facility, be placed on order of immediate passage.

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT AND THE COMMITTEE ON WAYS AND MEANS :

By Councilmember Lilly

Resolved by the City Council of the City of Lansing that an Ordinance to Add a Chapter, Chapter 894 to the Codified Ordinances of the City of Lansing, Michigan for the Purpose of Providing for a Service Charge in Lieu of Taxes for a Project Known as Stepping Stones a/k/a Pennoaks Project, Transitional Housing Facility, be now passed.

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

NAYS: None

ABSENT: None

ORDINANCE NO. 870

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO ADD A CHAPTER 894 OF THE CODIFIED ORDINANCES OF THE CITY OF LANSING, MICHIGAN FOR THE PURPOSE OF PERMITTING A SERVICE CHARGE IN LIEU OF TAXES FOR A PROJECT KNOWN AS STEPPING STONES, WHICH PROJECT WILL CONSIST OF SIXTEEN (16) TRANSITIONAL DWELLING UNITS FOR HOMELESS SINGLE MOTHERS OF LOW INCOME WITH NOT MORE THAN TWO (2) MINOR CHILDREN, PURSUANT TO THE PROVISIONS OF THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966, AS AMENDED.

The City of Lansing ordains:

Section 1. That Chapter 894 of the Code of Ordinances of the City of Lansing, Michigan, be added, to read as follows:

SECTION 894.01 **PURPOSE.**

IT IS ACKNOWLEDGED THAT IT IS A PROPER PUBLIC PURPOSE OF THE STATE OF MICHIGAN AND ITS POLITICAL SUBDIVISIONS TO PROVIDE TRANSITIONAL HOUSING FOR ITS HOMELESS SINGLE MOTHERS OF LOW INCOME WITH NOT MORE THAN TWO (2) MINOR CHILDREN AND TO ENCOURAGE THE DEVELOPMENT OF SUCH HOUSING BY PROVIDING FOR A SERVICE CHARGE IN LIEU OF PROPERTY TAXES IN ACCORDANCE WITH THE STATE HOUSING DEVELOPMENT AUTHORITY ACT OF 1966 (1966 PA 346, AS AMENDED, MCLA 125.1401 et seq; MSA 116.114(1) et seq). THE CITY IS AUTHORIZED BY THE ACT TO ESTABLISH OR CHANGE THE SERVICE CHARGE TO BE PAID IN LIEU OF TAXES BY ANY OR ALL CLASSES OF HOUSING EXEMPT FROM TAXATION UNDER THE ACT AT ANY AMOUNT IT CHOOSES, NOT TO EXCEED THE REAL ESTATE TAXES THAT WOULD BE PAID BUT FOR THE ACT. IT IS

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

FURTHER ACKNOWLEDGED THAT SUCH HOUSING FOR HOMELESS SINGLE MOTHERS OF LOW INCOME WITH NOT MORE THAN TWO (2) MINOR CHILDREN IS A PUBLIC NECESSITY, AS THE CITY AND ITS RESIDENTS WILL BE BENEFITTED AND IMPROVED BY SUCH HOUSING, THE ENCOURAGEMENT OF THE SAME BY PROVIDING CERTAIN REAL ESTATE TAX EXEMPTION FOR SUCH HOUSING IS A VALID PUBLIC PURPOSE; FURTHER, THAT THE CONTINUANCE OF THE PROVISIONS OF THIS ORDINANCE FOR TAX EXEMPTION AND THE SERVICE CHARGE IN LIEU OF TAXES DURING THE PERIODS CONTEMPLATED IN THIS ORDINANCE ARE ESSENTIAL TO THE DETERMINATION OF ECONOMIC FEASIBILITY OF THE HOUSING DEVELOPMENT KNOWN AS STEPPING STONES WHICH IS TO BE CONSTRUCTED AND FINANCED IN RELIANCE ON SUCH ORDINANCE AND SERVICE CHARGE.

THE CITY ACKNOWLEDGES THAT BALLENTINE STEPPING STONES NONPROFIT HOUSING CORPORATION, A MICHIGAN NONPROFIT HOUSING CORPORATION (REFERRED TO HEREIN AS "SPONSOR") HAS OFFERED, SUBJECT TO RECEIPT OF ADEQUATE FINANCING FROM THE AUTHORITY AND ADOPTION OF THIS ORDINANCE BY THE CITY, TO REHABILITATE, OWN AND OPERATE A HOUSING DEVELOPMENT IDENTIFIED AS STEPPING STONES ON CERTAIN PROPERTY LOCATED IN THE CITY OF LANSING, INGHAM COUNTY, MICHIGAN FOR THE PURPOSE OF SERVING AND ASSISTING HOMELESS SINGLE MOTHERS OF LOW INCOME WITH NOT MORE THAN TWO (2) MINOR CHILDREN. THE SPONSOR SHALL PAY THE CITY ON ACCOUNT OF THE HOUSING DEVELOPMENT AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICES IN LIEU OF ALL REAL ESTATE TAXES ON THE HOUSING DEVELOPMENT.

SECTION 894.02 **DEFINITIONS.**

A. ACT MEANS THE STATE HOUSING DEVELOPMENT AUTHORITY ACT, BEING PUBLIC ACT 346 OF 1966, OF THE STATE OF MICHIGAN, AS AMENDED.

B. AUTHORITY MEANS THE MICHIGAN STATE HOUSING DEVELOPMENT AUTHORITY.

C. **COMMENCEMENT OF CONSTRUCTION** IS DEFINED AS THE COMMENCEMENT OF THE REHABILITATION OF THE EXISTING FACILITY LOCATED AT 821-825 NORTH PENNSYLVANIA AVENUE, LANSING, MICHIGAN 48906.

D. **HOUSING DEVELOPMENT** MEANS A DEVELOPMENT WHICH CONTAINS SIXTEEN (16) APARTMENTS FOR SINGLE MOTHERS AND SUCH ELEMENTS OF OTHER HOUSING, COMMERCIAL, RECREATIONAL, INDUSTRIAL, COMMUNAL, AND EDUCATIONAL FACILITIES AS THE AUTHORITY MAY DETERMINE WILL IMPROVE THE QUALITY OF THE DEVELOPMENT AS IT RELATES TO HOUSING FOR SINGLE MOTHERS. FOR PURPOSES OF THIS CHAPTER, THE NAME OF THIS HOUSING DEVELOPMENT SHALL BE STEPPING STONES.

E. **HUD** MEANS THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT OF THE UNITED STATES GOVERNMENT.

F. **MORTGAGE LOAN, ADVANCE OR GRANT** MEANS A LOAN, ADVANCE OR GRANT TO BE MADE BY THE AUTHORITY AND/OR HUD OR OTHER GOVERNMENTAL ENTITY TO THE SPONSOR FOR THE REHABILITATION AND/OR PERMANENT FINANCING OF THE HOUSING DEVELOPMENT.

G. **SINGLE MOTHER** MEANS A HOMELESS SINGLE FEMALE HEAD OF HOUSEHOLD WITH NOT MORE THAN TWO (2) MINOR CHILDREN WHO MEETS THE INCOME LIMITATION SET BY THE AUTHORITY AND/OR FEDERAL GOVERNMENT THROUGH HUD.

H. **SPONSOR** MEANS PERSONS OR ENTITIES WHICH HAVE APPLIED TO EITHER THE AUTHORITY FOR A MORTGAGE LOAN, ADVANCE OR GRANT TO FINANCE THIS HOUSING DEVELOPMENT OR TO ANOTHER GOVERNMENTAL ENTITY FOR A FEDERALLY-AIDED LOAN, ADVANCE OR GRANT AS DEFINED BY THE ACT. FOR PURPOSES OF THIS CHAPTER, THE SPONSOR IS BALLENTINE STEPPING STONES NONPROFIT HOUSING CORPORATION.

SECTION 894.03 **ESTABLISHMENT OF ANNUAL SERVICE CHARGE.** A. THE HOUSING DEVELOPMENT AND THE PROPERTY ON WHICH IT SHALL BE CONSTRUCTED SHALL BE EXEMPT FROM ALL REAL ESTATE PROPERTY TAXES FROM AND AFTER THE COMMENCEMENT OF CONSTRUCTION. THE CITY, ACKNOWLEDGING THAT THE SPONSOR AND THE AUTHORITY AND/OR HUD OR OTHER GOVERNMENTAL ENTITY, IN THE CASE OF THE SPONSOR RECEIVING A MORTGAGE LOAN, ADVANCE OR GRANT FROM THE AUTHORITY, HUD OR OTHER GOVERNMENTAL ENTITY, HAS ESTABLISHED THE ECONOMIC FEASIBILITY OF THE HOUSING DEVELOPMENT IN RELIANCE UPON THE ENACTMENT AND CONTINUING EFFECT OF THIS ORDINANCE AND UPON THE QUALIFICATION OF THE HOUSING DEVELOPMENT FOR EXEMPTION FROM ALL REAL ESTATE TAXES AS ESTABLISHED IN THIS ORDINANCE, WILL ACCEPT PAYMENT AS SET FORTH BELOW OF AN ANNUAL SERVICE CHARGE FOR PUBLIC SERVICES IN LIEU OF ALL REAL ESTATE TAXES.

B. THE TOTAL ANNUAL SERVICE CHARGE SHALL BE TEN DOLLARS ($10.00) PER ANNUM.

SECTION 894.04 **PAYMENT OF SERVICE CHARGE.**

THE SERVICE CHARGE IN LIEU OF TAXES AS PROVIDED UNDER THIS ORDINANCE SHALL BE PAYABLE IN THE SAME MANNER AS GENERAL PROPERTY TAXES ARE PAYABLE TO THE CITY, EXCEPT THAT THE ANNUAL PAYMENT SHALL BE PAID ON OR BEFORE JULY 1 OF THE YEAR FOLLOWING THE YEAR UPON WHICH SUCH CHARGE IS CALCULATED.

SECTION 894.05 **CONTRACTUAL EFFECT.**

NOTWITHSTANDING THE PROVISIONS OF SECTION 15(a)(5) OF THE ACT TO THE CONTRARY, A CONTRACT BETWEEN THE CITY AND THE SPONSOR WITH THE AUTHORITY AS THIRD PARTY BENEFICIARY UNDER THE CONTRACT, TO PROVIDE TAX EXEMPTION AND ACCEPT PAYMENTS IN LIEU OF TAXES AS PREVIOUSLY DESCRIBED WILL BE EFFECTUATED BY ENACTMENT OF THIS ORDINANCE BY THE CITY COUNCIL.

SECTION 894.06 **DURATION: REQUIREMENT THAT REHABILITATION COMMENCE IN ONE (1) YEAR FROM THE EFFECTIVE DATE OF PASSAGE OF ORDINANCE.**

THE PROPERTY TAX EXEMPT STATUS OF THE HOUSING DEVELOPMENT APPROVED BY THIS ORDINANCE SHALL REMAIN IN EFFECT AND SHALL NOT TERMINATE SO LONG AS THE HOUSING DEVELOPMENT IS USED FOR THE PURPOSE SET FORTH IN THIS ORDINANCE; AND PROVIDED THE REHABILITATION OF THE HOUSING DEVELOPMENT COMMENCES WITHIN ONE (1) YEAR FROM THE EFFECTIVE DATE OF THIS ORDINANCE. IF THE REHABILITATION OF THE HOUSING DEVELOPMENT DOES NOT COMMENCE WITHIN ONE (1) YEAR FROM THE EFFECTIVE DATE OF THIS ORDINANCE, THIS ORDINANCE SHALL AUTOMATICALLY EXPIRE AND BE OF NO EFFECT AND THE HOUSING DEVELOPMENT AND THE PROPERTY ON WHICH IT IS CONSTRUCTED SHALL BECOME IMMEDIATELY TAXABLE PURSUANT TO THE PROP-

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

ERTY TAX LAWS OF THE STATE OF MICHIGAN.

894.07 **SEVERABILITY.**

THE VARIOUS SECTIONS AND PROVISIONS OF THIS ORDINANCE SHALL BE DEEMED TO BE SEVERABLE, AND SHOULD ANY SECTION OR PROVISION OF THIS ORDINANCE BE DECLARED BY ANY COURT OF COMPETENT JURISDICTION TO BE UNCONSTITUTIONAL OR INVALID, THE SAME SHALL NOT AFFECT THE VALIDITY OF THIS ORDINANCE AS A WHOLE OR ANY SECTION OR PROVISION OF THIS ORDINANCE OTHER THAN THE SECTION OR PROVISION SO DECLARED TO BE UNCONSTITUTIONAL OR INVALID.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by City Council.

By Councilmember Schmidt

That this ordinance, being necessary for the immediate preservation of the public peace, health, or safety shall take effect upon its passage

carried unanimously

MARILYNN SLADE, CITY CLERK

BY THE COMMITTEE OF THE WHOLE

By Councilmember Lilly

Resolved by the City Council of the City of Lansing that an Ordinance to Amend Chapter 1042, Section 1042.04, of the Code of Ordinances of the City of Lansing, Michigan for the Purpose of Maintaining Certain Rates and Charges Effective January 1, 1994, for Services Furnished by the City Sewage Disposal System as Adopted by City Council on June 28, 1993, and Readopted by City Council on September 7, 1993, and Deleting the Automatic Expiration Date of the Ordinance be placed on order of immediate passage.

BY THE COMMITTEE OF THE WHOLE

By Councilmember Lilly

Resolved by the City Council of the City of Lansing that an Ordinance to Amend Chapter 1042, Section 1042.04, of the Code of Ordinances of the City of Lansing, Michigan for the Purpose of Maintaining Certain Rates and Charges Effective January 1, 1994, for Services Furnished by the City Sewage Disposal System as Adopted by City Council on June 28, 1993, and Readopted by City Council on September 7, 1993, and Deleting the Automatic Expiration Date of the Ordinance be now passed.

YEAS: Councilmembers Belen, Benavides, Brockwell, Canady, Lilly, Schmidt

NAYS: Councilmembers Beai, Ford

ABSENT: None

ORDINANCE NO. 871

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, TO AMEND THE CODE OF ORDINANCES OF THE CITY OF LANSING BY AMENDING CHAPTER 1042, SECTION 1042.04, FOR THE PURPOSE OF MAINTAINING CERTAIN RATES AND CHARGES EFFECTIVE JANUARY 1, 1994 FOR SERVICES FURNISHED BY THE CITY SEWAGE DISPOSAL SYSTEM AS ADOPTED BY CITY COUNCIL ON JUNE 28, 1993 AND READOPTED BY CITY COUNCIL ON SEPTEMBER 7, 1993 AND DELETING THE AUTOMATIC EXPIRATION DATE OF THE ORDINANCE.

The City of Lansing ordains:

Section 1. That Part 10, Chapter 1042.04 of the Code of Ordinances of the City of Lansing, Michigan be amended to be read as follows:

1042.04 AMOUNTS; BILLING.

(A) **METHOD OF CHARGING.** THE RATES AND CHARGES FOR SERVICES FURNISHED BY THE CITY SEWAGE DISPOSAL SYSTEM SHALL BE LEVIED UPON EACH LOT OR PARCEL OF LAND, BUILDING OR PREMISES HAVING ANY SEWER CONNECTION WITH THE SYSTEM, ON THE BASIS OF THE QUANTITY OF WATER USED THEREIN, AS THE SAME IS MEASURED BY METERS THEREIN USED, OR IN THE ABSENCE THEREOF BY SUCH EQUITABLE METHOD AS SHALL BE DETERMINED BY THE DIRECTOR OF PUBLIC SERVICE WITH THE APPROVAL OF COUNCIL.

SUCH CHARGES SHALL BE COLLECTED AT THE SAME TIME AND IN THE SAME MANNER AS PROVIDED FOR THE PAYMENT OF CHARGES FOR WATER USED, EXCEPT IN CASES WHERE THE CHARACTER OF THE SEWAGE FROM A MANUFACTURING OR INDUSTRIAL PLANT, BUILDING OR PREMISES IS SUCH THAT UNREASONABLE ADDITIONAL BURDEN IS PLACED UPON THE SYSTEM GREATER THAN THAT IMPOSED BY THE AVERAGE SEWAGE DELIVERED TO THE SYSTEM PLANT. IN SUCH CASE, THE ADDITIONAL COST OF TREATMENT CREATED THEREBY SHALL BE AN ADDITIONAL CHARGE OVER THE REGULAR RATES SET FORTH IN SUBSECTION (B) HEREOF, OR THE CITY MAY, IF IT DEEMS IT ADVISABLE, COMPEL SUCH MANUFACTURING OR INDUSTRIAL PLANT, BUILDING OR PREMISES TO TREAT SUCH SEWAGE IN SUCH MANNER AS SPECIFIED BY THE CITY BEFORE DISCHARGING SUCH SEWAGE INTO THE SEWAGE DISPOSAL SYSTEM.

RATES FOR ALL USERS OBTAINING ALL OR PART OF THEIR WATER SUPPLY FROM SOURCES OTHER THAN THE CITY'S WATER SYSTEM MAY BE DETERMINED BY GAUGING OR METERING THE ACTUAL SEWAGE ENTERING THE SYSTEM OR BY METERING THE WATER USED, IN A MANNER ACCEPTABLE TO COUNCIL. THE COMMODITY CHARGE FOR RESIDENT USERS SHALL BE COMPUTED ON THE BASIS OF 700 CUBIC FEET PER MONTH PER CUSTOMER, WHERE GAUGING OR METERING IS NOT PRACTICAL.

COUNCIL MAY CLASSIFY THE USERS OF THE SYSTEM ACCORDING TO THE QUANTITY AND QUALITY OF WATER USED AND CHARGE SUCH RATES TO USERS IN EACH CLASS AS IT MAY DEEM REASONABLE.

(B) **SCHEDULE OF REGULAR RATES.** THE MONTHLY RATE TO BE BILLED FOR USE OF THE SYSTEM SHALL BE AS FOLLOWS FOR ALL USERS WITHIN THE SANITARY SEWER SERVICE AREA OF THE CITY, EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION:

(1) **BILLING AND COLLECTION CHARGE.**

A. EXCEPT FOR WEST SIDE WATER DISTRICT CUSTOMERS, ONE DOLLAR AND NINETY-SIX CENTS ($1.96) PER CUSTOMER, PER MONTH, ASSOCIATED WITH METER READING AND BILLING EXPENSES, SHALL BE CHARGED BY THE BOARD OF WATER AND LIGHT.

B. WEST SIDE WATER DISTRICT CUSTOMERS SHALL BE CHARGED ACTUAL CUSTOMER COSTS ASSOCIATED WITH METER READING AND BILLING PER QUARTERLY BILL.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

(2) **COMMODITY CHARGE.** ALL CLASSIFICATIONS OF CUSTOMERS SHALL BE CHARGED ONE DOLLAR AND FIFTY-ONE CENTS ($1.51) PER 100 CUBIC FEET OF WATER USAGE.

(3) **INFILTRATION AND INFLOW CHARGE.**

A. RESIDENTIAL CLASSIFIED USERS SHALL BE CHARGED SEVENTY-NINE CENTS ($.79) PER 100 CUBIC FEET OF WATER USAGE FOR ASSOCIATED INFILTRATION AND INFLOW COST.

B. COMMERCIAL AND INDUSTRIAL CLASSIFIED USERS SHALL BE CHARGED AS FOLLOWS:

1. THREE DOLLARS AND FORTY-SIX CENTS ($3.46) PER CUSTOMER PER MONTH.

2. THIRTY CENTS ($0.30) PER 100 CUBIC FEET OF WATER USAGE FOR ASSOCIATED INFILTRATION AND INFLOW COSTS.

(4) **DELAYED PAYMENT CHARGE.** A DELAYED PAYMENT CHARGE OF FIVE PERCENT OF THE UNPAID BALANCE, EXCLUDING DELAYED PAYMENT CHARGES, SHALL BE ADDED TO ANY BILL NOT PAID ON OR BEFORE THE DUE DATE SHOWN THEREON.

(5) **EXTRA-STRENGTH WASTE SURCHARGE FOR BOD.** TWENTY-ONE CENTS ($0.21) PER POUND ON ALL CONTRIBUTED VOLUME IN EXCESS OF 1.0 MILLION GALLONS PER DAY AND A CONCENTRATION IN EXCESS OF 300 MG/L, OR A CONTRIBUTED LOADING IN EXCESS OF 2,500 POUNDS PER DAY WITH A DISCHARGE VOLUME LESS THAN 1.0 MILLION GALLONS PER DAY.

(6) **EXTRA-STRENGTH WASTE SURCHARGE FOR SUSPENDED SOLIDS.** NINE CENTS ($0.09) PER POUND ON ALL CONTRIBUTED VOLUME IN EXCESS OF 1.0 MILLION GALLONS PER DAY AND A CONCENTRATION IN EXCESS OF 350 MG/L, OR A CONTRIBUTED LOADING IN EXCESS OF 2,900 POUNDS PER DAY WITH A DISCHARGE VOLUME LESS THAN 1.0 MILLION GALLONS PER DAY.

(7) **SERVICE CHARGE.** FOUR DOLLARS AND SEVENTY-FIVE CENTS ($4.75) PER COMMERCIAL AND INDUSTRIAL CLASSIFIED USERS PER MONTH TO RECOVER THE REMAINING ALLOCATED CUSTOMER COST ASSOCIATED WITH THE INDUSTRIAL PRETREATMENT PROGRAM (IPP).

(8) **INDUSTRIAL AND COMMERCIAL MONITORING CHARGES:**

A. COMPOSITE SAMPLE. TWO HUNDRED TWENTY-SIX DOLLARS ($226.00) EACH.

B. GRAB SAMPLE. NINETY DOLLARS ($90.00) EACH.

C. LABORATORY ANALYSIS. THIRTY TWO DOLLARS ($32.00) EACH.

(C) **EFFECTIVE DATE.** THE RATES SET FORTH IN THIS SECTION SHALL BE EFFECTIVE ON JANUARY 1, 1994, EXCEPT AS OTHERWISE PROVIDED. A BILLING COVERING USE OF THE SYSTEM BEFORE AND AFTER THE EFFECTIVE DATE OF A RATE CHANGE SHALL BE PRORATED, BASED UPON THE AVERAGE USE PER DAY AND THE NUMBER OF DAYS WITHIN SUCH BILLING PERIOD. AT THE RATE THEN IN EFFECT.

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by City Council.

Section 4. This ordinance shall be effective beginning JANUARY 1, 1994. By Councilmember Schmidt

That this ordinance, being necessary for the immediate preservation for the public peace, health or safety shall take effect upon its' passage

Carried unanimously

MARILYNN SLADE, CITY CLERK

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Benavides; the Reappointment of Harry Spenny to the Income Tax Board of Review

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

2/ From Councilmember Ford; a Resolution suspending the probationary period for City Employees hired prior to 11-15-93

REFERRED TO THE COMMITTEE OF THE WHOLE

3/ From Councilmember Brockwell; an Ordinance providing for the Maintenance of Certain Rates and Charges for Services Furnished by the City Sewage Disposal System

HANDLED AS ORDINANCE #0871

4/ From Councilmember Lilly; Communications regarding Wastewater Treatment Rate charges received from: Mayor Elect Hollister, Lansing Regional Chamber of Commerce, and the Wohlert Corporation

RECEIVED AND PLACED ON FILE

5/ From Councilmember Lilly; a substitute for Item #XII B-3 in tonight's packet

HANDLED AS RESOLUTION #667

6/ From Councilmember Lilly; a request that Item #VI-A be pulled from tonight's agenda

THE PUBLIC HEARING REGARDING THE SALE OF LOTS 6 & 7 OF R.E. OLDS PLAT WAS PULLED FROM THE AGENDA AND NO PUBLIC COMMENT WAS ACCEPTED

TABLED ITEMS

BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Lansing Police Department Sergeant Clyde Smith filed a claim against the City in the amount of $50,000 for payment of legal fees incurred by him due to prosecution by the Ingham County Prosecutor on criminal charges that were dismissed at the preliminary exam stage; and

WHEREAS, after investigation and analysis, the City Attorney advised that there exists sufficient legal authority to support the payment of a reasonable attorney fee in this instance and recommended that a reasonable sum be paid, subject to information being provided showing the manner in which it was agreed the fees were to be calculated, and showing the attorney services and hours involved upon which the fees were based; and

WHEREAS, the claim and the legal recommendation were reviewed by the Committee on General Services; and

WHEREAS, the Committee received a response to the Committee's letter for more information from Sergeant Smith's attorneys, which stated that they had entered a verbal agreement to represent Sergeant Smith for a minimum fee of $50,000 and a maximum that might exceed $100,000; and

WHEREAS, under the particular circumstances of this situation,

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

the Committee concurs in the recommendation of the City Attorney to pay a reasonable sum; and

WHEREAS, the Committee on General Services by a 2-1 vote determines that $50,000.00 constitutes a reasonable fee in this instance and recommends payment;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council hereby approves the claim of Clyde Smith in the total amount of $50,000.00 on the condition that the payment is to be settlement of all claims for attorney fees and all other claims that Clyde Smith has or may have against the City and any City officials; and

BE IT FURTHER RESOLVED that the Committee on Ways and Means is requested to review and recommend to City Council the appropriate account(s) to be charged for payment of this claim; and

BE IT FURTHER RESOLVED that the City Clerk is requested to forward a copy of this resolution to the City Attorney for action; and

BE IT FINALLY RESOLVED that the City Attorney is directed to make payment of the approved amount on the condition that Clyde Smith executes a release which releases the City and any City officials for any and all claims arising out of the incident itself, the prosecution, and any personnel matters involving Clyde Smith on this matter.

December 6, 1993

By Councilmember Schmidt

To table this resolution pending receipt of an itemized billing from Mr. Smith's Attorneys

ADOPTED BY THE FOLLOWING VOTE:

YEAS: 6

NAYS: 2

REMARKS BY THE MAYOR'S EXECUTIVE ASSISTANT

Mrs. Flaherty thanked Mayor McKane, Mayor Crawford and City Council for their support during her tenure as the Mayor's Special Assistant.

COUNCILMEMBER'S COMMENTS

Councilmember Ford thanked Jo Flaherty for all of her hard work. He also reported that he had a transitional meeting with 4th Ward Councilmember-elect Paul Novak, and he feels Mr. Novak will do a good job.

Councilmember Schmidt said that the Mayor's Office and the Police Department was well represented by Jo Flaherty and thanked her for her dedication.

Councilmember Brockwell thanked Jo Flaherty for all her help. He also responded to Gary Andrews that a commemorative plaque is in the works for the Diamond Reo site.

Councilmember Belen said the City is better for having had Jo Flaherty as a City employee and commended her for an excellent job.

Council President Canady said he would miss Jo Flaherty and that the City of Lansing would miss her as well.

Councilmember Benavides said that Jo Flaherty leaves a great legacy for the Council and the whole community.

PUBLIC COMMENTS

Bill Bernstein, 420 Baker Street, aired the injustices he says have been visited on him by the past and present City administrations.

Del Maynard, 2017 Culver, asked for restoration of the 'Citizens Soapbox' and said the Lansing Center is looking good.

Lewis Pothoff, no address available. spoke about the loss of the home he had been renting for the past four years which was closed up for building code violations.

Mark Eggleston, 4601 Heathgate, spoke about George Warren's defense of Sue Eby during the past two council meetings. Mr. Eggleston stated that citizens of the City have a right to speak about their concerns at Council meetings and suggested Mr. Warren, as a non-resident, hold his tongue about City matters.

Lee Shunk, 601 Leslie Street, says that the parking downtown is bad and that the City should build a parking structure on one of the vacant lots and provide monthly passes to people who wish to shop downtown to make downtown more shopper friendly.

Lloyd Teets, 116 E. Elm said he would like to review the office holder expense accounts of all councilmembers.

Paget Maynard, 902 W. Shiawassee, asked for clarification on how the City Clerk's position will be filled. He also asked Council to make a statement regarding schools and schools of choice.

Floyd Burns, 103 E. North Street #2 said that parking on Dwight Street is so congested that there is barely room for a car to drive through.

Debbie DeLeon, 1627 Pepper Tree spoke as a representative of the Circle of Indigenous Races for Community Leadership and Empowerment and read from a letter forwarded to Mayor Crawford which criticized his filling of mid-level managerial positions which her organization said is not consistent with his pledge to provide for a smooth transition of power.

Ken Vaughan, 114 Garden, congratulated Sue Eby for resigning and called for Mark Canady's resignation.

Ted DeLeon, 1627 Pepper Tree, expressed concern over the filling of mid-management position vacancies by the current administration. He said those positions should be resigned just as the department head positions are to be resigned on December 15.

Frank Curtis X, 4708 Ingham, doesn't think Mark Canady should resign from Council because everyone makes mistakes.

Tim Lewis, 500 S. Pine #1015 encourages Council to press the Abood Law Firm for an itemized statement of charges for their representation of Clyde Smith. He also spoke in support of Marilynn Slade for reappointment to the office of City Clerk.

Douglas Fairbanks, 625 E. Mt. Hope said the current administration has done a fine job.

William Hubble, 1003 W. Cavanaugh said the citizen soap box should be brought back and said that the agenda format needs to be improved.

Mary Haney, 1312 Roosevelt asked the City Attorney to look into a number of matters regarding Councilperson Ellen Beal's office holder expense account.

Martez Jackson, 3809 W. Jolly Road spoke as co-owner of Neo's. He asked that there be more communication between the ward

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

councilpeople and small businesses.

Steve Harry, 3125 Tecumseh River Road, expressed his support of Marilynn Slade for reappointment to the office of City Clerk.

Harold Leeman, 529 N. Francis, said that the surcharge paid by non-resident water users should not be removed. He also said officeholder expense accounts should be incorporated into the council salaries.

Gary Andrews, 800 Brookland Boulevard, expressed his thanks to Councilpersons Brockwell, Schmidt, and Belen.

ADJOURNED 10:07 P.M.
MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

OFFICIAL PROCEEDINGS OF
THE CITY COUNCIL
OF THE CITY OF LANSING

Proceedings, December 13, 1993

CITY COUNCIL ROOMS

Lansing, Michigan
December 13, 1993

The City Council of the City of Lansing met in regular session and was called to order at 7:00 P.M. by President Canady.

PRESENT: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

ABSENT: None

The Invocation was led by Councilmember Brockwell and the Pledge of Allegiance was led by Santa Claus.

MINUTES

By Councilmember Schmidt

To approve the Printed Council Proceedings of October 25, November 1, November 8, November 15, and November 22, 1993.

Carried unanimously

CONSIDERATION OF LATE ITEMS

By Councilmember Benavides

To accept the following under suspension of the rules:

1/ From Councilmember BenaVides; a Resolution Reappointing Harry Spenny to the Income Tax Board of Review

2/ From Councilmember Lilly; a Committee Report from the Physical Development Committee recommending Passage of the Historic District Ordinance

3/ From Councilmember Lilly; an Ordinance Readopting Chapter 1220, Historic Districts

4/ From Councilmember Ford; a Resolution Approving Public Drivers License for Peggy A. Hines

Carried unanimously

SPECIAL CEREMONIES

A. Nancy Erickson and Dr. Richard J. Halik of the Lansing School District presented Councilmembers Belen, Ford, Schmidt and Mayor Crawford with lifetime passes to athletic events in the Lansing School District and thanked them for their support and cooperation. Mayor Crawford and Councilmember Ford were extremely instrumental in getting funding from LYRF for Middle School Athletic programs. Councilmember Belen was one of their first Board Members and Councilmember Schmidt has always been a valuable ally to second ward schools funding drives. Mrs. Erickson said the children of Lansing Schools really enjoy the magic shows that Councilmember Ford performs for them and she hopes he continues with them.

SCHEDULED PUBLIC HEARINGS

There were no Scheduled Public Hearings

PUBLIC COMMENT

Lewis Pothoff of 826 Smith objected to the renovation of Fenner Arboretum. If the City has the money to renovate the Arboretum, why don't they have the money for the Civic Center?

Frank Curtis "X" spoke in support of Neo's Cabaret License. Young people in this town must have someplace to go, he said. He complimented Councilmember Belen on her many years of great public service.

Douglas Fairbanks of 525 E. Mt. Hope spoke in support of the Committee Report regarding the use of the Red Cedar Golf Course as the site for a Minor League Baseball Stadium.

Patrick Lindemann, Ingham County Drain Commissioner spoke in support of the resolution approving improvements to the Toll Gate Drain. There will be an apportionment hearing in 6-8 weeks.

Ronald Heck of 900 Long Blvd. spoke in support of his request for rezoning at 1921 W. Holmes Rd.

John Mitchell of 733 Chicago Ave. spoke in support of the resolution granting non-profit recognition to Tri County Advocates for People With Developmental Disabilities.

Lloyd Teets of 116 E. Elm St. stated that Council has broken the record for the most action items on any one agenda. Regarding the Committee Report on Ethics Board Opinion #19, he is appalled. City of Lansing Building Inspectors should not be out teaching seminars on building safety standards. They are too dumb. He objected to the cost of dilapidated properties that Council will approve acquisition of tonight. This is not wise spending of CDBG money, he said.

Harold Leeman ‡f 529 N. Francis said this Council should not issue a report on the Baseball project. They should wait for the new Council and Mayor to do so. He requested the installation of a stop light at the intersection of Saginaw and Fairview. He protested the acquisition of 813 Eureka and the dilapidated properties on tonight's agenda.

Alex Bolt of 1230 Reo Rd. told Council they must build safeguards into the baseball stadium issue so that it does not fall on the shoulders of Lansing tax payers as a white elephant.

Stewart King of 1909 W. Holmes spoke in opposition to the rezoning ordinance on tonight's agenda, saying it is unnecessary and there are already too many adult housing units in this area. Profit is the major motivation of this property owner. The addition of all these rental units will adversely affect the value of the homes in the area. The neighbors are requesting that a 6 foot stockade style fence be installed between this project and their properties. In addition, the City should restrict access to this project between Holmes Rd. and Simkin Drive.

COMMUNICATIONS AND PETITIONS

By Councilmember Ford

That Communications and Petitions be considered as being read in full and that the proper referrals be made by President Canady

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Carried unanimously

A. Notice from the State of Michigan Department of Social Services of the issuance of an Adult Foster Care Medium Group Home to:

—King Haven Shea at 204 E. Mt. Hope
—Central State Community Services at 6040 Loretta

REFERRED TO THE MAYOR

B. Letter from Renata H. Palmatter regarding City Clerk Elect Eby and the failure of city residents to re-elect fine, hard working incumbents

RECEIVED AND PLACED ON FILE

C. Letter from Dick Collins and Citizens for a Better Lansing regarding the appointment to City Clerk

REFERRED TO THE COMMITTEE OF THE WHOLE

D. Letter from the Arts Council Center of Greater Lansing requesting consideration for funding for Cultural Agencies from Michigan Equity Program Funds FY 1994

REFERRED TO THE MAYOR AND
THE COMMITTEE ON WAYS AND MEANS

E. Letter from Harold Leeman regarding Lucile Belen's first election to City Council

RECEIVED AND PLACED ON FILE

MAYOR'S COMMENTS

Mayor Crawford explained why the equity grant funding applications are late in being sent out. The State erred when mailing the applications out and they went to the vendors rather than municipalities. His office is in the process of accepting applications now and will do so until December 17th, at which time they will make their recommendations to Council.

CITY OFFICER AND BOARD REPORTS

A. Letters from City Clerk submitting routine applications for consideration of licenses and bonds:

1. REFERRALS:
Public Driver (1)

HANDLED AS RESOLUTION #672

RESOLUTION #672
BY COUNCILMEMBER FORD

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Clerk has forwarded an application for a public driver license, which has been routinely processed by the Lansing Police Department without objection and is ready for final action by this Council; and

WHEREAS, the Clerk has informed the Council that the required non-refundable fee to process the public driver applicant has been paid in full;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the following application for license:

PUBLIC DRIVER: Peggy A. Hines

By Councilmember Ford

Carried unanimously

B. Information-only Items from the City Clerk:

1. Letter from the City Clerk notifying Councilmembers of the Availability of Minutes from Council Proceedings of December 6, 1993 for Review

RECEIVED AND PLACED ON FILE

2. Letter from the City Clerk submitting a list of City Council meeting for the first six months of 1994

RECEIVED AND PLACED ON FILE
(SCHEDULED FOR ACTION UNDER ITEM XII F-6.)

C. Letter from the City Attorney regarding the Marjorie Stine Foster Family Home, 1615 W. Ottawa

RECEIVED AND PLACED ON FILE

D. Letter from Michael Murphy, Director of the Human Relations and Community Services Department regarding Application for "Youthbuild" Grant

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

E. Letters from the Mayor re:

1/ Request for Renaming Grand Ave. to Cesar Chavez Ave.

REFERRED TO THE COMMITTEE OF THE WHOLE

2/ Change of Intent—Appropriation Transfer

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

3/ Notice of Intent to issue Sanitary Sewer Bonds

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

4/Executive Transfer

REFERRED TO THE COMMITTEE ON WAYS AND MEANS

5/Equity Legislation for 1994

RECEIVED AND PLACED ON FILE

6/Ordinance to Issue Sanitary Sewer Revenue Bonds to Refund the Balance of 1988 Bonds and Fund New Improvements

HANDLED AS RESOLUTION #673

TO: Council President Mark Canady and City Councilmembers
FROM: James A. Crawford, Mayor
DATE: December 9, 1993
SUBJ: Ordinance to Issue Sanitary Sewer Revenue Bonds to Refund the Balance of the 1988 Bonds and Fund New Improvements

The attached correspondence is being submitted with my concurrence for your review and appropriate action.

By Councilmember Benavides

To accept the recommendations of the Mayor and pass the following Introduction of Ordinance and Resolution setting a Public Hearing in consideration of it for January 10, 1994

Carried unanimously

INTRODUCTION OF ORDINANCE

ISSUANCE OF REVENUE REFUNDING BONDS

By Councilmember Benavides:

That an ordinance to amend the Code of ordinances of the City of

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Lansing by Amending Ordinances Numbered 29-A, 31-A, 35-A, and 838, for the purpose of Providing for the Issuance of Revenue Bonds for the Purpose of Paying for Improvements to the Existing Sewage Disposal System and to Pay Certain Costs Relating to the Issuance of the Revenue Bonds, for Authorizing and Providing for the Issuance of Revenue Refunding Bonds for the Purpose of Refunding a Part of the Outstanding Sewage Disposal System Refunding Bonds, 1988 Series and to Pay Certain Costs Relating Thereto; Providing that the Revenue Bonds and Revenue Refunding Bonds Shall be of Equal Standing and Priority of Lien with Outstanding Sewage Disposal System Revenue Bonds of the City Issued under the Provisions of Act 94, Public Acts of Michigan, 1993 As Amended and Ordinances No. 29-A, 31-A, 35-A and No. 838 of the City of Lansing; Providing for the Retirement and Security of the Bonds Herein Authorized and Providing for Other matters Relative Thereto, was introduced by Councilmember Benavides and referred to the Committee on Ways and Means.

RESOLUTION #673
RESOLUTION SETTING PUBLIC HEARING
By Councilmember Benavides:

RESOLVED BY THE CITY COUNCIL, CITY OF LANSING, that a public hearing be set for Monday, January 10, 1994 at 7:00 P.M. in the Council Chambers, 10 Floor, City Hall, 124 W. Michigan Ave., for the purpose of considering an ordinance to amend the Code of ordinances of the City of Lansing by Amending Ordinances Numbered 29-A, 31-A, 35-A, and 838 for the purpose of Providing for the Issuance of Revenue Bonds for the Purpose of Paying for Improvements to the Existing Sewage Disposal System and to Pay Certain Costs Relating to the Issuance of the Revenue Bonds, for Authorizing and Providing for the Issuance of Revenue Refunding Bonds for the Purpose of Refunding a Part of the Outstanding Sewage Disposal System Refunding Bonds, 1988 Series and to Pay Certain Costs Relating Thereto; Providing that the Revenue Bonds and Revenue Refunding Bonds Shall be of Equal Standing and Priority of Lien with Outstanding Sewage Disposal System Revenue Bonds of the City Issued under the Provisions of Act 94, Public Acts of Michigan, 1993 As Amended and Ordinances No. 29-A, 31-A, 35-A and No. 838 of the City of Lansing; providing for the Retirement and Security of the Bonds Herein Authorized and Providing for Other matters Relative Thereto

Interested persons are invited to attend this public hearing

Motion by Councilmember Benavides adopted by unanimous vote preceeds this language

COMMITTEE REPORTS

RESOLUTION #674
REPORT OF COMMITTEE
THE COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the report from the Mayor and the Planning Board on rezoning petition Z 5-93, located at 1921 West Holmes Road,

REPORTS AS FOLLOWS: The Planning Board recommended that the rezoning petition be denied as filed, and proposed that only the north 437 feet of the parcel be changed from "A" to "DM-1". The applicant agreed to the change, and the rezoning ordinance was drafted and introduced to reflect the agreement. The Committee recommends that the rezoning be approved as agreed to by the Planning Board and the applicant, and that the ordinance be adopted.

By Councilmember Lilly:

That the report of the Committee be received.

Carried unanimously

RESOLUTION #675
REPORT OF COMMITTEE
THE COMMITTEE ON PUBLIC SERVICES, to whom was referred the report from the Mayor and the interim director of the Public Service Department, which updates the status of contamination at the site of a proposed park in the Fabulous Acres neighborhood,

REPORTS AS FOLLOWS: The City's environmental consultant said recent tests revealed no contamination following excavation and disposal. With some additional soils and topsoil in the park area, the proposed site would be safe for use as a park. The Committee concurs in the above recommendation and forwards this matter to the Committee on Ways and Means.

Signed: Robert Brockwell
Tony Benavides
Ellen M. Beal

BY COUNCILMEMBER BROCKWELL:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #676
REPORT OF COMMITTEE
THE COMMITTEE ON PUBLIC SERVICES, to whom was referred Opinion #19 from the Board of Ethics, which advises on standards of conduct for inspectors in the Building Safety Division of the Planning and Neighborhood Development Department,

REPORTS AS FOLLOWS: The Committee concurs with the Board of Ethics opinion. Since the unanimous opinion offers a clarification rather than a recommendation for new law or policy, the Committee believes no formal action by Council is necessary. Board of Ethics Opinion #19 is hereby referred to the Mayor for distribution to the staff of the Building Safety Division.

Signed: Robert Brockwell
Tony Benavides
Ellen M. Beal

BY COUNCILMEMBER BROCKWELL:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #677
REPORT OF COMMITTEES
THE COMMITTEE ON WAYS AND MEANS and THE COMMITTEE ON PHYSICAL DEVELOPMENT, to whom were referred the Final Report on Minor League Baseball submitted by the Blue Ribbon Committee,

REPORT AS FOLLOWS: Over the past two weeks the Committee on Ways and Means has reviewed the summary of economic and financial considerations prepared and presented by the Internal Auditor. These issues include the economic impact of constructing and operating a minor league stadium by private developers, conditions under which land may be leased to private developers for the construction and operation of a stadium, replacement and improvement of recreational facilities impacted by the proposed

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

development, public use of the facility mandated by the deed restrictions, utilization of the proposed facility by Michigan State University, and funding of any public improvements necessitated by the proposed development.

Both Committees concur with the Auditor's recommendation that the following criteria be addressed by the developers prior to the City Council entertaining any formal action regarding the proposed development:

A. Contract to lease the site and operate a stadium for a minimum of twenty years.

B. That the site will be developed in material conformance with the architectural rendering reviewed by the Committee including replacing Kircher Field adjacent to the proposed stadium, development of a little league complex adjacent to the stadium, and extension of the Rivertrail through the site. It is the understanding of the Committee that the developers will fund the entire development as depicted in the Blue Ribbon Report.

C. That in order to continue the "public purpose" designation of the site it will be necessary for the developers to make the facility available for public uses such as hosting the Diamond Classic, city-wide baseball tournaments, outdoor concerts or shows, and provision of free tickets to senior citizens or children on select dates.

D. The accommodation of MSU home baseball games at the stadium.

E. That all associated public improvements and operating expenses be the sole responsibility of the developers.

F. That the annual lease payment received by the City for use of this site be an amount sufficient to fund replacement of recreational golf facilities. A number of alternatives exist in regards to this matter. The Committee discussed the figure of $200,000 per year, that being approximately the amount of revenues earned annually at the Red Cedar Golf Course.

Both Committees authorize the Blue Ribbon Committee, and specifically City Council representatives on the Blue Ribbon Committee, to submit the above-defined criteria to the developers for their review and response. Approval of this Committee Report shall not be construed as obligating the City Council to this development. Upon receipt of a response from the developers the Council will consider formal action.

SIGNED: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

Rick Lilly
Mark Canady
Lucile Belen
Committee on Physical Development

By Councilmember Benavides

To accept a friendly amendment to the Committee Report to add the word 'Comparable' prior to the word recreational in paragraph F, so that the paragraph reads "F. That the annual lease payment received by the City for use of this site be an amount sufficient to fund replacement of COMPARABLE RECREATIONAL GOLF FACILITIES. A number of alternatives exist in regards to this matter. The Committee discussed the figure of $200,000 per year, that being approximately the amount of revenues earned annually at the Red Cedar Golf Course." And receive the Committee Report as amended.

By Councilmember Belen

To call the question to a vote

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Belen, Benavides, Brockwell, Canady, Ford, Lilly

NAYS: Councilmembers Beal, Schmidt

Councilmember Benavides's motion to receive the Committee Report was adopted by the following vote:

YEAS: Councilmembers Belen, Benavides, Brockwell, Canady, Ford, Lilly

NAYS: Councilmembers Beal, Schmidt

December 13, 1993

RESOLUTION #678
REPORT OF COMMITTEE
THE COMMITTEE ON WAYS AND MEANS to whom was referred the requests to amend vehicle towing and storage fees provided by private companies in accordance with the City's wrecker licensing ordinance,

REPORTS AS FOLLOWS: Rates for towing and storing vehicles at City request are set by resolution of Council pursuant to the wrecker licensing ordinance. Two different proposals to amend rates were received. Storage rates were last changed in 1987, towing rates were last changed in 1979.

In considering these requests, representatives of the Mayor's office, City Attorney's office and Lansing Police Department met. It was the consensus decision and recommendation of the Mayor that the rate schedule should be reviewed by a committee consisting of a single representative from all four (4) of the "Class A" wrecker companies (selected from among themselves) and representatives from Mayor Elect Hollister's organization, the City Attorney's office, and the Lansing Police Department, and that a unified recommendation be presented to the Ways and Means Committee for consideration. It was also recommended that the present method of setting the rates by resolution be continued and that Council's final authority to set the rates not be delegated to a board.

The Committee concurs with this recommendation and hereby authorizes this administrative committee to proceed. The Committee on Ways and Means anticipates receiving a report back within sixty days.

Signed By: Tony Benavides
Bob Brockwell
Alfreda Schmidt
Committee on Ways and Means

By Councilmember Benavides

To Discharge the Committee on General Services on this issue

Carried unanimously

By Councilmember Benavides

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

northwest corner Lot 464, said corner being on the north line of Groesbeck Hills Subdivision No. 12, easterly along said north line to the northeast corner Lot 466, said corner being on the east line of Groesbeck Hills Subdivision No. 12, northerly along the corporate boundary between Lansing and Lansing Township to the northwest corner Lot 298, Groesbeck Hills Subdivision No. 8, easterly along the corporate boundary forming the line between Groesbeck Hills No. 8, Bancroft Hills and Somerset Subdivisions to the northeast corner Lot 313, Groesbeck Hills Subdivision No. 8, southerly along the west line of Kimberly Park, owned by the City of Lansing, to the southwest corner Lot 26, Kimberly Downs Subdivision, easterly along the north right-of-way line of Hopkins Avenue 150 feet, south to the northeast corner of Lot 24, Kimberly Downs Subdivision, westerly to the northeast corner Lot 25, Kimberly Downs Subdivision, southerly to the southeast corner said Lot 25, continuing southerly parallel with the west line of Lots 23, through 16, Kimberly Downs Subdivision to the north right-of-way line Woodruff Avenue, east along said right-of-way line to the southeast corner of Lot 16, south to the northeast corner of Lot 15, Kimberly Downs Subdivision, west along said right-of-way line to a point 75 feet west of the northeast corner Lot 15, Kimberly Downs Subdivision, south parallel with the west line of Lots 13, 14, and 15 to the south line Lot 13, Kimberly Downs Subdivision, west to the southwest corner said Lot 13, southerly to the southwest corner Lot 5, Kimberly Downs Subdivision, west to the east line of Grand River Terrace Plat, south along the east line of said plat to the north line of East Grand River Avenue, westerly along said right-of-way line to the centerline of Wood Street and the point of beginning, including all public and private lands therein.

RESOLUTION #684
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Council has established the City policy to undertake and promote activities aimed at the preservation and improvement of Lansing residential neighborhoods; and

WHEREAS, the City has been working with residents of the Green Oaks Neighborhood Association to develop a strategy to upgrade and improve their neighborhood; and

WHEREAS, the City Administration has reported that the Master Plan for the neighborhood calls for upgrading and improvements which can best be accomplished by means of housing rehabilitation activities, with some limited acquisition and clearance to reduce housing density and improve lot patterns in the area; and

WHEREAS, the Interim Director of the Department of Planning and Neighborhood Development recommends the purchase of the property commonly known as 813 Eureka Street if the owner is willing to sell it to the City; and

WHEREAS, the purchase would be made with certain Community Development Block Grant Program funds for the purpose of razing the dwelling thereon to reduce neighborhood area crowding and increase lot size of adjoining properties; and

WHEREAS, it is necessary, pursuant to Charter and Ordinance, for the Council to approve the acquisition of real property; and

WHEREAS, the Committee on Physical Development recommends the project, provided the total cost does not exceed $40,000.00, and that acquisition can be made without condemnation;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby authorizes the City to purchase 813 Eureka Street, more particularly described as:

The East 40 feet of the South ½ of Lot 8 and East 40 feet Lot 10, Block 5, Green Oak Addition, City of Lansing, Michigan

subject to the following conditions :

1. The owner will sell the same for a price to be determined by the Community Development Block Grant purchase requirement and consistent with the City's real property purchasing ordinance policies;

2. The entire project cost (including acquisition) does not exceed $40,000.00 contained in this resolution; and

3. A valid waiver of any relocation benefits is made and given by the occupant and everyone else who may otherwise be entitled to such benefits.

BE IT FURTHER RESOLVED that, subsequent to acquisition, the City Administration is authorized to demolish the structure located on 813 Eureka Street, to split the property so as to achieve increased lot sizes for the four (4) adjacent properties, and to transfer ownership to the titleholders of the adjacent properties for nominal consideration; and

BE IT FURTHER RESOLVED that the City policy requiring an environmental study prior to the purchase is waived for this residential property; and

BE IT FURTHER RESOLVED that the total amount of funds to be expended for this acquisition and clearance activity shall not exceed $40,000.00, and that all expenses incurred shall be charged to the appropriate account of the City's Community Development Block Grant Program; and

BE IT FINALLY RESOLVED that the Mayor, on behalf of the City, is authorized to sign and execute all necessary documents to effectuate the aforestated project, subject to their prior approval as to form by the City Attorney.

By Councilmember Lilly

Carried unanimously

RESOLUTION #685
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Transportation Division has received a request through Councilmember Ellen Beal to install four-way stop signs at the intersection of Maryland Avenue and Sheldon Avenue;

WHEREAS, the request was referred to the Traffic Board;

WHEREAS, the Transportation Division staff conducted a study on behalf of the Traffic Board;

WHEREAS, based upon the results of the traffic study, the Traffic Board recommends that yield signs be installed on Sheldon Avenue at the intersection of Maryland Avenue;

WHEREAS, the approved minutes for the Traffic Board containing the Traffic Board recommendation for this matter are on file with the City Clerk's office;

WHEREAS, the Mayor concurs in the recommendation of the Traffic Board;

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

WHEREAS, the Committee on Public Safety reviewed the report and concurs with the recommendation of the Traffic Board;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approves Traffic Control Order No. 93-036 thereby authorizing the Transportation Engineer to install yield signs on Sheldon Avenue at the intersection of Maryland Avenue;

NOW, THEREFORE, BE IT FINALLY RESOLVED that Traffic Control Order No. 93-036 shall become effective when signed by the Transportation Engineer, filed with the City Clerk and the appropriate signs are erected.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #686
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Transportation Division has received a petition request circulated by Linda Sue Zeigler of 2136 Newark Avenue and signed by 37 residents to install four-way stop signs at the intersection of Newark Avenue and Piper Avenue;

WHEREAS, the request was referred to the Traffic Board;

WHEREAS, the Transportation Division staff conducted a study of the intersection;

WHEREAS, based upon the results of the traffic study, the Traffic Board recommends that the existing yield signs on Piper Avenue at Newark Avenue be upgraded to stop signs;

WHEREAS, the approved minutes for the Traffic Board containing the Traffic Board recommendation for this matter are on file with the City Clerk's office;

WHEREAS, the Mayor concurs in the recommendation of the Traffic Board;

WHEREAS, the Committee on Public Safety reviewed the report and concurs with the recommendation of the Traffic Board;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approves Traffic Control Order No. 93-037 thereby authorizing the Transportation Engineer to install stop signs on Piper Avenue at the intersection of Newark Avenue;

NOW, THEREFORE, BE IT FINALLY RESOLVED that Traffic Control Order No. 93-037 shall become effective when signed by the Transportation Engineer, filed with the City Clerk and the appropriate signs are erected.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #687
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Transportation Division has received a request from Stewart Renolds of 557 Roberts Street to change the parking regulations on Cavanaugh Road from Cedar Street to Stabler Street;

WHEREAS, the request was referred to the Traffic Board;

WHEREAS, the Transportation Division staff conducted a study on behalf of the Traffic Board and sent parking surveys to the residents;

WHEREAS, based upon the number of accidents that have occurred due to parked vehicles and the positive results of the surveys returned from residents the Traffic Board recommends that the current unrestricted parking on the north side of Cavanaugh Road from Cedar Street to Stabler Street be changed to no parking at all times;

WHEREAS, the approved minutes for the Traffic Board containing the Traffic Board recommendation for this matter are on file with the City Clerk's office;

WHEREAS, the Mayor concurs in the recommendation of the Traffic Board;

WHEREAS, the Committee on Public Safety reviewed the report and concurs with the recommendation of the Traffic Board;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approves Traffic Control Order No. 93-055 thereby authorizing the Transportation Engineer to prohibit parking at all times on the north side of Cavanaugh Road from Cedar Street to Stabler Street;

NOW, THEREFORE, BE IT FINALLY RESOLVED that Traffic Control Order No. 93-055 shall become effective when signed by the Transportation Engineer, filed with the City Clerk and the appropriate signs are erected.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #688
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Lansing City Council has approved the implementation of an alternating two way stop sign system for the neighborhood bounded by Saginaw Street to the north, Kipling Boulevard on the east, Michigan Avenue on the south, and Clemens Avenue on the west; and

WHEREAS, the actions changed the designation of Foster Avenue and Fairview Avenue, so they are no longer through streets as defined in City Ordinances; and

WHEREAS, the Transportation Engineer reports that changes are required for the through street designations for Foster Avenue and Fairview Avenue; and

WHEREAS, the Transportation Engineer has recommended that Fairview Avenue be designated as a through street from Elizabeth Street to Grand River Avenue, except at Michigan Avenue and Vine Street; and

WHEREAS, the Transportation Engineer has recommended that Foster Avenue be designated as a through street from Kalamazoo Street to Grand River Avenue, except at Fernwood Avenue; and

WHEREAS, the Committee on Public Safety reviewed the report and concurs with the recommendation of the Transportation Engineer;

NOW, THEREFORE BE IT RESOLVED that the Lansing City Council approves Traffic Control Order No's 93-062 and 92-063 which authorizes the Transportation Engineer to designate

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

That the Report of the Committee be received

Carried unanimously

RESOLUTIONS

RESOLUTION #679
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, Scott Thomas Felver filed a claim against the City in the amount of $1,134.00 for damages allegedly sustained as a result of a sewer back up occurring at his rental property located at 326 North Chestnut; and

WHEREAS, the City Attorney's staff recommendation was to deny the claim; and

WHEREAS, the claim and the staff recommendation were reviewed by the Committee on General Services; and

WHEREAS, the Committee directed its staff to contact the claimant to schedule his appearance before the Committee, and a letter was sent July 14, 1993, plus several calls over a seven-week period to re-schedule the claimant's appearance, but he never attended; and

WHEREAS, the Committee recommended that the claim be denied, and this Council adopted that recommendation, but the claimant subsequently contacted the City to report that he had never received any notices of the Committee's meetings, and that he wished to appear before the Committee to explain his claim; and

WHEREAS, upon presentation of the new information, this Council rescinded its resolution denying the subject claim, and gave the claimant the opportunity to appear before the Committee; and

WHEREAS, the claimant did appear before the Committee, but did not provide any evidence or testimony that indicated that the City was liable for the damage to his property alleged to have resulted from a sewer back up

WHEREAS, the Committee has recommended that the claim be denied;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby concurs with recommendation of the Committee on General Services to deny the claim of Scott Thomas Felver; and

BE IT FURTHER RESOLVED the City Clerk is requested to notify the claimant of this action.

By Councilmember Ford

Carried unanimously

RESOLUTION #680
BY COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Clerk has forwarded one application for a public driver license and one application for a peddler's license, which have been routinely processed by the Lansing Police Department without objection and are ready for final action by this Council; and

WHEREAS, the Clerk has informed the Council that the required non-refundable fees to process the applications have been paid in full; and

WHEREAS, the Committee on General Services has reviewed the applications and concurs in the Police Department's recommendations that the licenses be approved;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the following applications for license:

PUBLIC DRIVER: Orville L. James
PEDDLER: Joe Vitale

By Councilmember Ford

Carried unanimously

RESOLUTION #681
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Liquor Control Commission has forwarded an application to transfer ownership of a 1992 Class C licensed business with Dance Entertainment Permit without dressing rooms, located in escrow at 127 West Washtenaw Street, from Our Place Lounge, Inc., to Lan-Sing, Inc., in compliance with a court order related to the bankruptcy of Our Place Lounge, Inc.; and

WHEREAS, the Michigan Liquor Control Commission has forwarded a second application to transfer ownership of this same license from Lan-Sing, Inc., to Bangkok House, Inc., and to concurrently transfer location from escrow at 127 West Washtenaw Street to 420 East Saginaw Street; and

WHEREAS, the City Clerk has reported that the applications have been reviewed and approved by appropriate City staff; and

WHEREAS, the Committee on General Services has reviewed this matter and recommends that the applications be forwarded to the Commission with a positive recommendation;

NOW, THEREFORE, BE IT RESOLVED by the Lansing City Council that the request from Lan-Sing, Inc., to transfer ownership of a 1992 Class C licensed business with Dance Entertainment Permit without dressing rooms, located in escrow at 127 West Washtenaw Street, from Our Place Lounge, Inc., is hereby recommended for approval; and

BE IT FURTHER RESOLVED the requests from Bangkok House, Inc., for transfer of a 1992 Class C licensed business with DanceEntertainment Permit without dressing rooms, located in escrow at 127 West Washtenaw Street, from Lan-Sing, Inc., and to transfer location of said license from 127 West Washtenaw Street to 420 East Saginaw Street, are hereby recommended for approval.

By Councilmember Ford

Carried unanimously

RESOLUTION #682
BY THE COMMITTEE ON GENERAL SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Tri-County Community Advocates for People with Developmental Disabilities, Inc., has requested non-profit status; and

WHEREAS, the City Attorney has reviewed the appropriate documents and by-laws and has determined that the request for non-profit status be granted;

NOW, THEREFORE, BE IT RESOLVED the City Council of the City

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

of Lansing hereby recognizes Tri-County Community Advocates for People with Developmental Disabilities, Inc., as a non-profit organization.

By Councilmember Ford

Carried unanimously

RESOLUTION #683
BY THE COMMITTEE ON PHYSICAL DEVELOPMENT

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Michigan Department of Natural Resources has mandated the implementation of the Combined Sewer Overflow Control Program; and

WHEREAS, the City has submitted and the Michigan Department of Natural Resources reviewed and approved the Combined Sewer Overflow Control Project Plan to implement the Combined Sewer Overflow Control Program as required by law; and

WHEREAS, the Michigan Department of Natural Resources will make the approved plan a component of, and enforceable with, the City of Lansing's NPDES permit; and

WHEREAS, the Combined Sewer Overflow Control Program will improve the quality of the Red Cedar and Grand Rivers, and will improve the efficiency of the Waste Water Treatment System; and

WHEREAS, the City of Lansing Sanitary Sewer System serves residents in the Charter Township of Lansing, and the Township portion of the area known as the Groesbeck Subdivision has combined sewers which must be separated in accordance with the approved Combined Sewer Overflow Plan; and

WHEREAS, an area of the City of Lansing, described in Exhibit A (a copy of which is attached), has separated sewers with stormwater flow that discharges into combined sewers in the area of the Township described above, and this stormwater flow must be separated in accordance with the approved Combined Sewer Overflow Plan; and

WHEREAS, both of those areas of the Township and the City, which are together described in Exhibit B (a copy of which is attached), can be served by a drain known as the Tollgate Drain; and

WHEREAS, the management of the storm sewer system in the Township is under the jurisdiction of the Ingham County Drain Commissioner;

NOW, THEREFORE, BE IT RESOLVED that:

1. The Lansing City Council hereby approves the administrative recommendation to complete the separation of combined sewers without using special assessment to adjacent City of Lansing property owners.

2. The City of Lansing shall make and cause to be filed a petition, to establish a drain to serve the property described in attached Exhibit B, which will benefit the property located in the City of Lansing described in attached Exhibit A.

3. The Mayor and City Clerk are hereby authorized and directed to execute the petition for and on behalf of the City of Lansing and to file the same with the Ingham County Drain Commissioner.

4. The City of Lansing hereby consents to the location of part of this drain project within its limits and to the assessment against the City of Lansing of apportioned cost based on the area benefitted as described in the attached Exhibit A of the Project against the City of Lansing.

5. All resolutions insofar as they conflict with the provisions of this resolution be and the same are hereby rescinded.

By Councilmember Lilly

Carried unanimously

EXHIBIT A

Commencing at the northwest corner of lot 475, Groesbeck Hills Subdivision No. 12, being a part of the NW ¼ of Section 11, T4N, R2W, City of Lansing, Ingham County, Michigan, thence easterly to the southeast corner of lot 470, thence northerly to the northeast corner of said lot 470, said corner being on the south line of Ridgeline Drive, thence northeasterly across Ridgeline Drive tot he southwest corner of lot 464, thence northly to the northwest corner of lot 464, said corner being on the north line of said sub no. 12, thence easterly along the said north line to the northeast corner of lot 466, said corner being on the east line of said sub no. 12, thence southerly along said east line to the southeast corner of lot 504, thence westerly to the southwest corner of lot 504, thence westerly to the southwest corner of lot 504, said corner being on the east line of Magnolia Avenue, thence south along the east line of Magnolia to the north line of Hopkins Avenue, thence east along the north line of Hopkins to the west line of Magnolia, thence north along the west line of Magnolia to the southeast corner of lot 497, thence west to the southwest corner of lot 497, thence south to the southeast corner of lot 392 of Groesbeck Hills Subdivision No. 10, said corner being on the north line of Hopkins Avenue, thence westerly along said north line to the southwest corner of lot 323, thence north to the northwest corner of lot 323, said corner being of the south line of lot 324, thence west along said south line to the southwest corner of lot 324, said corner being on the west line of sub no. 10, thence northerly along said west line to the northwest corner of lot 339, thence east to the northeast corner of lot 339, said corner being on the west line of Fairview Avenue, thence easterly across Fairview to the northwest corner of lot 337, thence easterly to the northwest corner of lot 475, said corner being the point of beginning, including all public and private lands therein.

Generally this description includes property north of Hopkins Avenue, west of Hayford Avenue, south of Lyman Drive and east of Wood Street.

Commencing at the intersection of the north right-of-way of East Grand River Avenue with the centerline of Wood Street, Section 11, T4N, R2W, Ingham County, Michigan; thence north on the centerline of Wood Street to a point 50 feet north of the south line of Lot 10, Supervisor's Plat of Groesbeck Hills Subdivision as projected west, east to the east line of said Lot 10, north along a line between Supervisor's Plat of Groesbeck Hills and Groesbeck Hills Subdivision No. 10 to the northwest corner Lot 339, Groesbeck Hills Subdivision No. 10, east to the northeast corner Lot 339, said corner being on the west line of Fairview Avenue, easterly across Fairview Avenue to the northwest corner Lot 377, Groesbeck Hills Subdivision No. 10, east to the northeast corner of Lot 377, Groesbeck Hills No. 10, north to the northwest corner of Lot 475, Groesbeck Hills No. 12, east to the southeast corner Lot 470, Groesbeck Hills Subdivision No. 12, northerly to the northeast corner Lot 470, said corner being on the south line of Ridgeline Drive, northeasterly across Ridgeline Drive to the southwest corner Lot 464, Groesbeck Hills Subdivision No. 12, northerly to the

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Fairview Avenue as a through street from Elizabeth Street to Grand River Avenue, except at Michigan Avenue and Vine Street; and to designate Foster Avenue as a through street from Kalamazoo Street to Grand River Avenue, except at Fernwood Avenue.

NOW, THEREFORE, BE IT RESOLVED that Traffic Control Order No.'s 93-062 and 93-063 shall become effective when signed by the Transportation Engineer and filed with the City Clerk.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #689
BY THE COMMITTEE ON PUBLIC SAFETY

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Transportation Division has received a petition request signed by 37 residents to install four-way stop signs at the intersection of Lowcroft Avenue and Rouse Street;

WHEREAS, the request was referred to the Traffic Board;

WHEREAS, the Transportation Division staff conducted a study of the intersection;

WHEREAS, based upon the results of the traffic studys the Traffic Board recommended that the request to install four-way stop signs at the intersection of Lowcroft Avenue and Rouse Street be denied;

WHEREAS, the approved minutes for the Traffic Board containing the Traffic Board recommendation for this matter are on file with the City Clerk's office;

WHEREAS, the Mayor concurs in the recommendation of the Traffic Board;

WHEREAS, the Committee on Public Safety reviewed the report and did not concur with the recommendation of the Traffic Board;

WHEREAS, the Committee on Public Safety recommends the installation of four-way stop signs at the intersection of Lowcroft Avenue and Rouse Street;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approves Traffic Control Order No. 93-064 thereby authorizing the Transportation Engineer to install four-way stop signs at the intersection of Lowcroft Avenue and Rouse Street;

NOW, THEREFORE, BE IT FINALLY RESOLVED that Traflic Control Order No. 93-064 shall become effective when signed by the Translportation Engineer, filed with the City Clerk and the appropriate signs are erected.

By Councilmember Schmidt

Carried unanimously

RESOLUTION #690
BY THE COMMITTEE ON PUBLIC SERVICES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Council has established the City policy to undertake and promote activities aimed at the preservation and improvement of Lansing residential neighborhoods; and

WHEREAS, the City has promoted and supported efforts to bring about housing rehabilitation, neighborhood improvement and historic preservation in the area in and around the 500 Block of W. Genesee on the City's near west side north of Ferris Park; and

WHEREAS, the City Administration has reported that the Master Plan for the neighborhood calls for upgrading and improvements which can best be accomplished by means of housing rehabilitation activities, with some limited acquisition and clearance to reduce housing density and improve lot patterns in the area; and

WHEREAS, the Interim Director of the Department of Planning and Neighborhood Development recommends the purchase of the properties located at 508 N. Pine Street, 516 W. Genesee, 518-20 W. Genesee and 511 N. Chestnut Street if the owners are willing to sell them to the City; and

WHEREAS, the purchase would be made with certain Community Development Block Grant Program funds for the purpose of assembling the properties for resale and development in a manner as to reduce over crowding and improve the neighborhood; and

WHEREAS, it is necessary, pursuant to Charter and Ordinance, for the Council to approve the acquisition of real property; and

WHEREAS, the Committees on Public Service recommends the project provided the purchase price to be paid for any single property in the project does not exceed 2.6 times of its assessed value as determined by the City Assessor and that acquisition can be made without condemnation;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby authorizes the City to purchase these four (4) properties more particularly described as:

508 N. Pine
S 55 Ft Lot 8, Block 73, Original Plat, City of Lansing

516 W. Genesee
E 31 Ft Lot 7, Block 73, Original Plat, City of Lansing

518-20 W. Genesee
W. 50 Ft of E 81 Ft Lot 7, Block 73, Original Plat, City of Lansing

511 N. Chestnut
S 55 Ft Lot 5, Block 73, Original Plat, City of Lansing

subject to the following conditions:

1. The owner will sell the same for a price to be determined by the Community Development Block Grant purchase requirements and consistent with the City's real property purchasing ordinance policies;

2. The entire project cost does not exceed the limitation contained in this resolution; and

BE IT FURTHER RESOLVED that, subsequent to acquisition, the City Administration is authorized to demolish the structures located on these properties and to prepare the sites for development of residential uses that will be designed in harmony with the surrounding neighborhood.

BE IT FURTHER RESOLVED that the City policy requiring an environmental study prior to the purchase is waived for this residential property; and

BE IT FURTHER RESOLVED that the Administration is authorized to provide relocation payments to eligible tenants of these properties pursuant to rules and regulations established through the Community Development Block Grant Program.

BE IT FURTHER RESOLVED that the total amount of funds to be expended for this acquisition, relocation and clearance activity for

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

this project shall not exceed $400,000.00, and the purchase acquisition price paid for any single property in the project shall not exceed 2.6 times the current assessed value of that property as determined by the City Assessor, and all expenses incurred shall be charged to the appropriate account of the City's Community Development Block Grant Program; and

BE IT FINALLY RESOLVED that the Mayor, on behalf of the City, is authorized to sign and execute all necessary documents to effectuate the aforestated project, subject to their prior approval as to form by the City Attorney.

By Councilmember Brockwell

To excuse Councilmember Ford from the vote on this item for the reason that he owns property one block away from the block affected by this resolution whose property value may increase if this resolution is adopted

Carried unanimously

By Councilmember Brockwell

ADOPTED BY THE FOLLOWING VOTE:

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Lilly

NAYS: Councilmembers Canady, Schmidt

ABSTAIN: Councilmember Ford

RESOLUTION #691
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Capitol Area Rail Council has informed City Council that expenditures to maintain the rail station will exceed the amount allocated to them in the FY 93/94 City budget by $820.00; and

WHEREAS, City Council has been informed that the Professional Services Account No. 101-173901-743000-0 has more than adequate monies for the remainder of FY 93/94;

NOW, THEREFORE, BE IT RESOLVED that $820.00 be transferred from the General Administration Budget Control Account (from Professional Services) to the City Supported Agencies Budget Control Account No. 101-834101-992200-0.

By Councilmember Benavides

Carried unanimously

RESOLUTION #692
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the State of Michigan, Department of Natural Resources (DNR) has awarded the City of Lansing grant funds for the renovation of Fenner Arboretum and DNR and the City entered into a grant agreement on June 17, 1991; and

WHEREAS, under the agreement, the State will provide grant funds for the renovation of Fenner Arboretum totalling $187,500.00; and

WHEREAS, the local match of $62,500.00 will be available through the Park Millage; and

WHEREAS, the City desires to amend the scope of the renovation work to be preformed at Fenner Arboretum under the grant agreement to be the projects identified for Fenner Arboretum contained in the 1990 five (5) Year City of Lansing Recreation Master Plan and Capitol Project list; and

WHEREAS, the City of Lansing accepts the terms of the grant agreement and Amendment No. 1, with DNR to amend the Fenner Arboretum Project to be in conformance with the five (5) year City of Lansing Recreation Master Plan and Capitol Projects list; and

WHEREAS, the City will maintain satisfactory financial accounts, documents and records and to make them available to the DNR for auditing at reasonable times; and

NOW THEREFORE, BE IT RESOLVED that the City of Lansing agrees to construct the projects and provide such funds and services and materials as may be necessary to satisfy the terms of the DNR grant agreement and Amendment No. 1;

BE IT FINALLY RESOLVED the Lansing City Council hereby authorizes the Mayor and City Clerk to execute the grant agreement and Amendment No. 1 regarding the scope of work renovation of Fenner Arboretum on behalf of the City of Lansing, subject to their approval as to form by the City Attorney.

By Councilmember Benavides

Carried unanimously

RESOLUTION #693
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City of Lansing has established an account for assistance to community cablecasting activities, funded by franchise fees paid by the City s cable system operator; and

WHEREAS, the Cable Advisory Board has evaluated five FY 94 grant applications from community programmers and recommended that three applicants receive funding totalling $1,887.00; and

WHEREAS, the Committee on Ways and Means has reviewed the Board's recommendations, and concurs with the list of recommended grants;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby approves the following grant allocations to producers of community programs, as recommended by the Cable Advisory Board and the Committee on Ways and Means:

1. Angel Aguilar, for his series "Videos Musicales Internationale", $832 worth of videotape.

2. Betty Carter Cooney, for her series "Community Awareness Connection", $400 worth of videotape plus $300 cash for supplies and sets for a total of $700.

3. Darryl Burgess, for his series "Required Viewing", $355 worth of videotape.

AND BE IT FURTHER RESOLVED the Council Staff is authorized to make a bulk purchase of videotape for the above mentioned grant recipients, charged to account number 101-112110 963001-0, and allocate the videotape to the above-mentioned grant recipients, as recommended by the Cable Advisory Board; and

BE IT FURTHER RESOLVED the Council Staff is also authorized to prepare and the Mayor is authorized to execute performance contracts with grant recipients in conformance with City policy on said grants.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

By Councilmember Benavides

Carried unanimosuly

RESOLUTION #694
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Operational Services Rapid Copy operation provides in-house copying and printing for Council proceedings, Departmental requirements for printing in volume, and special requests (Building permits, business cards); and

WHEREAS, the current copiers used in the Operation are inadequate to meet some common volume or stock demands, and funds to purchase a replacement copier were appropriated in the FY 94 budget; and

WHEREAS, the Interim Finance Director has requested a change of intent to use $9,000 in residual funds within the Finance Department to purchase an upgraded model of copier which would allow for replacement of the two volume copiers and one special-stock unit with a single copier, with one of the volume copiers being placed within the network, and the other serving as a backup unit; and

WHEREAS, under the City Council's Budget Monitoring Policy, purchase of equipment which was not originally included in the adopted Budget, and the cost of which exceeds Charter executive transfer authority, requires approval of a change of intent by City Council;

NOW, THEREFORE, BE IT RESOLVED that the Lansing City Council approves the Finance Department request for a change of intent to purchase a replacement copier for up to $34,000.00 from the Finance Operational Services Equipment Account 101-172711-97000-0.

By Councilemmber Benavides

Carried unanimously

RESOLUTION #695
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the City Council of the City of Lansing established policy in May, 1991 relative to purchases of equipment which was not included as part of the original budget adoption; and

WHEREAS, that policy further addressed the uses of residual funds from equipment purchases; and

WHEREAS, the Central Garage section of the Office of the Mayor has identified residual equipment funds following purchases of all budget replacement vehicles; and

WHEREAS, replacements of alternate make, unmarked vehicles still continue to lag in relation to the City's established replacement schedule;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Lansing approves the use of up to $30,000.00 in equipment residuals in the Central Garage budget for purchase of two replacement alternate make, unmarked vehicles.

By Councilmember Benavides

Carried unanimously

RESOLUTION #696
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the 1993-94 City Budget provided $298,150 for items related to the Combined Sewer Overflow (CSO) project which are ineligible for funding under the State Revolving Loan Fund program, and

WHEREAS, such items include areas where additional capacity is needed, abatement of stormwater inflows and infiltration, or sewer repairs such as those needed on Pere Marquette Drive, and

WHEREAS, the Public Service Department estimates that $150,000 in additional funding is needed to fund these legally mandated corrective measures within the City sewer system in the current phase of the CSO program, and

WHEREAS, the Public Service Department estimates that $150,000 will be available in memo account 101-933690-974100-13079 upon completion of planned local street maintenance activities in the current fiscal year, and

WHEREAS, the City Council's Budget Monitoring Policy precludes expenditures of Capital Improvements residuals, exceeding executive transfer authority, without the prior approval of a change of intent by City Council;

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Lansing approves a change of intent and authorizes a transfer totalling $150,000 to (Memo acct. 101-933690-973000-13978), from residual funds from planned local street repair (Memo acct. 101-933690-974100-13079), to fund items which are ineligible for funding under the State Revolving Loan Fund Program for the Combined Sewer Overflow project.

By Councilmember Benavides

Carried unanimously

RESOLUTION #697
BY THE COMMITTEE ON WAYS AND MEANS

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Mayor and Police Chief have recommended that locker space and shower facilities on the fourth floor of the police department building be expanded in order to assist in the recruitment and hiring of female police officers and adequately handle the needs of current female police officers; and

WHEREAS, the Mayor and Police Chief have recommended that for purposes of efficiency, the Police Community Services unit be consolidated into one office; and

WHEREAS, in the FY93/94 budget, the City Council had approved the placement of $40,000.00 in project maintenance and $40,000.00 in the capital improvement accounts based upon the estimated cost of renovation to the fourth floor of the police department building in order to provide for the increase in the space of locker room and shower facilities for female police officers and the consolidation of the Police Community Services Unit's office; and

WHEREAS, subsequent to the adoption of the FY 93/94 City budget, the City has retained an architect to review the plans for the expansion of the locker space and shower facilities for female police officers and the consolidation of the Police Community

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Services unit to one office; and

WHEREAS, the architect has prepared the plans, and based upon those plans, the estimated total cost of renovation is in excess of the $80,000.00 by the City's Administrative Services Department prior to the adoption of FY 93/94 budget;

NOW, THEREFORE, BE IT RESOLVED that $60,000.00 be transferred from the City's General Fund Balance Account No. 101-0-390001-0 to the Capital Improvements Budget Control Account No. 101-933901-992200-0 for the purpose of remodeling the fourth floor of the police department building in order to consolidate the Police Community Services unit and increase the size of the locker room and shower facilities for female police officers.

By Councilmember Benavides

Carried unanimously

RESOLUTION #698
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, by letter dated August 30, 1993, Mayor Crawford requested that this Council conduct a license revocation hearing pursuant to the terms of Chapter 808 of the Lansing Code of Ordinances, in order to hear charges that J. M. Productions, Inc., doing business as Neo's, located at 3809 West Jolly Road, violated provisions of Chapter 808 and therefore the City Cabaret License held by J. M. Productions, Inc., should be revoked; and

WHEREAS, this Council designated the Committee on General Services to conduct the cabaret license revocation hearing; and

WHEREAS, by letter dated September 9, 1993, and personally served on the licensee and its legal counsel, Committee on General Services Chairperson Ford notified the licensee of the revocation hearing scheduled for September 15, 1993, in the 10th floor conference room of Lansing City Hall, and further notified the licensee of the specific charges made:

1. On August 27, 1993, said cabaret was in operation beyond 2:00 AM, contrary to Section 808.09(a) of the Lansing Code of Ordinances.

2. On August 27, 1993, officers of the Lansing Police Department were denied entry into the building interior of said NEO's for the purpose of conducting an inspection regarding the activities therein, contrary to the agreement and consent contained in the Application for Cabaret License as required by Section 808.03 of the Lansing Code of Ordinances.

3. On September 4, 1993, said cabaret was in operation beyond 2:00 AM, contrary to Section 808.09(a) of the Lansing Code of Ordinances.

4. On September 5, 1993, said cabaret was in operation beyond 2:00 AM, contrary to Section 808.09(a) of the Lansing Code of Ordinances.

5. On September 6, 1993, said cabaret was in operation beyond 2:00 AM, contrary to Section 808.09(a) of the Lansing Code of Ordinances.

and

WHEREAS, the licensee was further advised that he could present evidence and testimony and confront witnesses; and

WHEREAS, by letter dated September 13, 1993, Daniel M. Zavadil, serving as legal counsel to J. M. Productions, Inc., requested that Councilmember Schmidt be recused from acting as a member of the panel hearing the charges, and Councilmember Schmidt consented to the licensee's request, resulting in her recusal and the appointment of Councilmember Beal to join Councilmember Ford and Councilmember Brockwell on the Committee on General Services for the limited purpose of conducting said hearing and issuing proposed findings of fact and a proposed conclusion; and

WHEREAS, the hearing was begun on September 15, 1993, and was continued and concluded on October 13, 1993, during which the above-stated charges were examined, and said hearing was attended by a court reporter who has submitted a verbatim transcript that is on file and available for review; and

WHEREAS, after carefully considering the testimony and evidence presented, the Hearing Committee made its findings of fact as contained in said transcript; and

WHEREAS, the Hearing Committee concluded that the City Cabaret License held by J. M. Productions, Inc., doing business as Neo's, not be revoked at this time; and

WHEREAS, the Hearing Committee submitted the following recommendations:

1. That the management of Neo's inform police prior to conducting a private party on any night other than the regular nights of operation.

2. That during regular operational nights that the wind down slow dance period commence at 1:30 AM and all dancing cease at 1:45 AM to facilitate 2 AM closing.

3. That the owners of the establishment allow access to the police to inspect the interior of the building after 2 AM.

4. That all parties—Neo's, Cranbrook and the police work with the City of Lansing Human Relations Department to better facilitate communication and cooperation between all parties.

5. That there be a review of compliance 90 days after the adoption of this resolution.

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby affirms the findings of fact, the conclusion, and the recommendations of the Hearing Committee.

By Councilmember Ford

To discharge the Committee on General Services on this issue

Carried unanimously

By Councilmember Ford

To place an affirmative roll on the resolution

By Councilmember Belen

To call the question to a vote

Carried unanimously, Councilmember Schmidt Abstaining

Councilmember Ford's motion to place an affirmative roll on the resolution was adopted by the following vote:

YEAS: Councilmembers Beal, Belen, Brockwell, Canady, Ford, Lilly

NAYS: Councilmember Benavides

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

ABSTAIN: Councilmember Schmidt

RESOLUTION #699
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, former City Councilman and World War II veteran Horace J. Bradshaw passed away on November 30, 1993, at the age of 73 in Fort Myers, Florida; and

WHEREAS, while a career State of Michigan employee, Mr. Bradshaw was first elected to the City Council on November 4, 1952, and he served continuously until April 10, 1967, representing the Third Ward after redistricting under the 1955 Charter; and

WHEREAS, in addition to his service as a Councilman, Mr. Bradshaw also served on the Board of Review during 1964-65, was appointed to the Community Renewal Coordinating Committee in 1965, was appointed to a Special Committee on Retention of Historical Buildings in 1966; and was appointed to a four-year term on the Board of Water and Light, again representing the Third Ward, during 1975-79; and

WHEREAS, among his many accomplishments, Mr. Bradshaw was a driving force in the development of City parking garages downtown and many green space parks in our neighborhoods;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 13th day of December, 1993, hereby recognizes the outstanding accomplishments during a lifetime of public service of Horace J. Bradshaw; and

BE IT FURTHER RESOLVED the members of this Council express heartfelt sympathy to the Bradshaw family.

By Councilmember Belen

Carried unanimously

RESOLUTION #700
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, after 24 years as President and Chief Executive Officer of Lansing General Hospital, and one year as Executive Vice President of Michigan Capital Healthcare, Robert E. Miller is leaving Lansing for retirement in Sarasota, Florida; and

WHEREAS, during Mr. Miller's tenure, Lansing General Hospital became one of the largest osteopathic hospitals in the country, and underwent several major expansion projects; and

WHEREAS, Mr. Miller oversaw improvements to the hospital's capabilities in the areas of emergency treatment, physical therapy, cardiopulmonary services, obstetrics, pediatrics, geropsychiatry, and sports medicine; and

WHEREAS, for his vision and hard work to accomplish the merger of Lansing General Hospital and Ingham Medical Center, Mr. Miller was named by the South Lansing Business Association as co-recipient (with MCH President Edward B. McRee) of the 1992 Business Person of the Year Award; and

WHEREAS, Mr. Miller's career in the healthcare delivery field, including his active membership in several professional organizations, earned him a national reputation as a strong leader and advocate;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 13th day of December, 1993, hereby recognizes and commends Robert E. Miller for 25 years of outstanding service to the People of Greater Lansing through his visionary leadership of Lansing General Hospital and Michigan Capital Healthcare; and

BE IT FURTHER RESOLVED each member of this Council wishes Robert and his wife Peggy many years of happiness and feelings of satisfaction for a job well done.

By Councilmember Belen

Carried unanimously

RESOLUTION #701
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, in 1923 Sam LaMacchia established Mac's Smoke Shop and Liquor Store at 120 North Washington Avenue in downtown Lansing; and

WHEREAS, over the 70 years since, Mac's has occupied several locations that share a common characteristic: Washington Avenue downtown; and

WHEREAS, Sam's son Paul and daughter in-law Joanne have continued to operate the store, at the 207 South Washington location for the past 22 years, with the same family commitment to friendly personal service; and

WHEREAS, on January 1, 1994, Paul and Joanne will hand over the keys to the store to new owners as they prepare to travel and enjoy their retirement years;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 13th day of December, 1993, hereby recognizes Paul and Joanne LaMacchia for their outstanding devotion to our Capital City's downtown retail area as owners of Mac's Smoke Shop and Liquor Store.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #702
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the State of Michigan Water Resources Commission has issued a Wastewater Treatment Facilities National Pollutant Discharge Elimination System Permit No. MI 0023400 (the "NPDES Permit") requiring the City of Lansing (the "City") to construct certain Combined Sewer Overflow Control Improvements; and

WHEREAS, Act 320, Public Acts of Michigan, 1927, as amended, ("Act 320") enables a City to issue and sell bonds to finance construction of improvements required by a permit issued by the State of Michigan; and

WHEREAS, the City Council of the City intends to authorize the issuance of limited tax general obligation bonds pursuant to Act 320 in one or more series in an aggregate amount not to exceed Eleven Million ($11,000,000) Dollars for the purpose of constructing a Foster Avenue sanitary sewage interceptor from Harton Street to Michigan Avenue, constructing a waste water treatment plant aeration basin, separation of combined sewers on Pere

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Marquette Street, and other improvements (the "Improvement") included in Phase II, Segment 1 of the Combined Sewer Overflow Improvements Project Plan required by the NPDES Permit; and

WHEREAS, notice of intent to issue bonds must be published at least forty-five (45) days before the issuance of the same in order to comply with the requirements of Section 5(g) of Act 279, Public Acts of Michigan, 1909, as amended; and

WHEREAS, prior to issuance of each series of bonds the City must either receive prior approval of the bonds from the Michigan Department of Treasury or be exempt from prior approval as provided in Chapter III, Section 11, of Act 202, Public Acts of Michigan, 1943, as amended.

NOW, THEREFORE, BE IT RESOLVED THAT:

1. The City Clerk is hereby authorized and directed to cause a notice of intent to issue bonds to be published in the *Lansing State Journal*, a newspaper of general circulation in the City, as a display advertisement at least ¼ page in size.

2. Said notice of intent so published shall be in substantially the following form:

OFFICIAL NOTICE TO ELECTORS AND TAXPAYERS OF THE CITY OF LANSING OF INTENT TO ISSUE BONDS SECURED BY THE TAXING POWER OF THE CITY AND RIGHT OF REFERENDUM THEREON

PLEASE TAKE NOTICE that the City Council of the City of Lansing, Counties of Ingham and Eaton, Michigan, intends to authorize the issuance of limited tax general obligation bonds of the City, in one or more series, in an aggregate principal amount not to exceed Eleven Million ($11,000,000) dollars, pursuant to Act 320, Public Acts of Michigan, 1927, as amended, or order to comply with the Wastewater Treatment Facilities National Pollutant Discharge Elimination System Permit No. MI 0023400 which requires constructing a Foster Avenue Sanitary Sewage interceptor from Harton Street to Michigan Avenue, constructing a waste water treatment plant aeration basin, separation of combined sewers on Pere Marquette Street, and other improvements included in Phase II, Segment 1 of the Combined Sewer Overflow Improvements Project Plan. Said bonds shall mature in not to exceed thirty (30) annual installments with interest payable on the unpaid balance at a rate to be determined at the time of sale of the bonds not to exceed the maximum rate permitted by law.

SOURCE OF PAYMENT OF BONDS
THE PRINCIPAL AND INTEREST OF THE BONDS shall be payable primarily from the general funds of the City, including funds lawfully available to the City for this purpose such as revenues derived from the operation of the City's Sewage Disposal System and ad valorem taxes pursuant to a pledge of the City's limited tax full faith and credit. Ad valorem taxes may not be levied in excess of the City's Charter tax rate limitation for this purpose.

RIGHT OF REFERENDUM
THE BONDS will be issued without vote of the electors unless a PETITION requesting an election on the question of issuing the bonds signed by not less than TEN PERCENT (10%) OF THE REGISTERED ELECTORS in the City is filed with the City Council by deposit with the City Clerk WITHIN FORTY-FIVE (45) DAYS after publication of this notice. If such a petition is filed, the bonds cannot be issued without an approving vote by a majority of electors voting on the question.

THIS NOTICE is given pursuant to the requirements of Section 5(g) of Act 279, Public Acts of Michigan, 1909, as amended. Further information concerning the matters set out in this notice may be secured from the City Clerk's office.

_____
City Clerk

3. The City Council hereby determines that the foregoing form of notice of intent to issue bonds and the manner of publication directed is adequate notice to the electors and taxpayers of the City and is well calculated to inform them of the intention of the City to issue the bonds, the purpose of the bonds, the security for the bonds, and the right of referendum of the electors with respect thereto, and that the provision of forty-five (45) days within which to file a referendum petition is adequate to insure that the City's electors may exercise their right of referendum with respect to the bonds.

4. In order to comply with Federal Treasury Regulations, the City Council in its resolution adopted March 9, 1992 stated that the City intended to reimburse expenditures for Combined Sewer Overflow Control Improvements with proceeds of bonds, including the Bonds. Revised Treasury Regulations have been issued which simplify technical requirements for compliance with Treasury Regulations; therefore, the City Council hereby re-states its intent to issue the Bonds by making the following declaration of intent for the purpose of complying with the reimbursement rules of Treas. Reg. $1.150-2 pursuant to the Internal Revenue Code of 1986, as amended:

(a) The City reasonably expects to reimburse for the expenditures made to acquire the Improvements with proceeds of debt to be incurred by the City.

(b) The maximum principal amount of debt expected to be issued for reimbursement purposes including bond issuance costs is Eleven Million ($11,000,000) Dollars.

(c) A reimbursement allocation of the expenditures for the Improvements with the proceeds of the borrowing described herein will occur not later than 18 months after the later of (i) the date on which the expenditure is paid, or (ii) the date the Improvements are placed in service or abandoned, but in no event more than three (3) years after the original expenditure is paid. A reimbursement allocation is an allocation in writing that evidences the City's use of the proceeds of the debt to be issued for the Improvements to reimburse the City for a capital expenditure made pursuant to this Resolution.

(d) The expenditures for the Improvements are "capital expenditures" as defined in Treas. Reg. $1.150-1(h), which are any costs of a type which are properly chargeable to a capital account (or would be so chargeable with a proper election or with the application of the definition of "placed in service" under Treas. Reg.$1.150 2(c) under general Federal income tax principles (as determined at the time the expenditure is paid).

(e) No proceeds of the borrowing paid to the City in reimbursement pursuant to this Resolution will be used in a manner described in Treas. Reg. $1.150-2(h) with respect to abusive uses of such proceeds, including, but not limited to, using funds corresponding to the proceeds of the borrowing in a manner that results in the creation of replacement proceeds (within Treas. Reg. $1.148-1) within one year of the reimbursement allocation

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

described in (c) above.

(f) Expenditures for the Improvements to be reimbursed for the proceeds of the borrowing for purposes of this Resolution do not include costs for the issuance of the debt or an amount not in excess of the lesser of $100,000 or five percent (5%) of the proceeds of the borrowing, or preliminary expenditure for exceeding twenty percent (20%) of the issue price of the borrowing, within the meaning of Treas. Reg. $1.1560-2(f) (such preliminary expenditures include architectural, engineering, surveying, soil testing and similar costs incurred prior to construction of the Improvements, but do not include land acquisition, site preparation, and similar costs incident to commencement of construction).

(g) This resolution is adopted to indicate the intent of the City only, and does not bind the City to acquire and construct any improvements or to issue any obligations of the City with respect thereto.

5. Either the Finance Director or the Public Service Director be and are hereby authorized to request an exception from prior approval to issue bonds from the Michigan Department of Treasury and to pay the related fee, or to request the Michigan Department of Treasury to issue an order granting prior approval to issue bonds, and to request any related waivers.

6. All resolutions and parts of resolutions insofar as they conflict with the provisions of this resolutions be and the same hereby are rescinded.

By Councilmember Lilly

Carried unanimously

I hereby certify that the foregoing is a true and complete copy of a resolution duly adopted by the City Council of the City of Lansing at a regular meeting held On December 13, 1993 at 7:00 p.m. prevailing Eastern Time, and that said meeting was conducted and public notice of said meting was given pursuant to and in full compliance with the Open Meetings Act, being Act 267, Public Acts of Michigan, 1976, and that the minutes of said meeting were kept and will be or have been made available as required by said Act.

I further certify that the following Members were present at said meeting: Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

and that the following Members were absent: None

I further certify that Member Lilly moved for adoption of said resolution.

I further certify that the following Members voted for adoption of said resolution: Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

and that the following Members voted against adoption of said resolution: None

_____

City Clerk

RESOLUTION #703
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the U.S. Department of Housing and Urban Development has created a program called 'Youthbuild' which is designed to provide both on-site construction work experience and off-site academic and job skill training for young men and women in low income communities; and

WHEREAS, the Youthbuild program will distribute a total of $38 million to public or private non profit agencies throughout the country; and

WHEREAS, the Human Resources Advisory Board has recommended that the City of Lansing explore this new funding opportunity;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council hereby authorizes the Mayor to obtain details about the Youthbuild program for development of a grant application to the U. S. Department of Housing and Urban Development; and

BE IT FURTHER RESOLVED the financial impact of the grant application shall be reviewed by the Committee on Ways and Means prior to submission of the application.

By Councilmember Lilly

To amend the resolution in the last paragraph to state as follows:

"BE IT FURTHER RESOLVED the financial impact of the grant, WHEN AWARDED, shall be reviewed by the committee on Ways and Means."

Carried unanimously

By Councilmember Ford

To place an affirmative roll on the resolution as amended

Carried unanimously

RESOLUTION #704
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, the Director of the Building Safety Division of the Planning and Neighborhood Development Department determined that the building located at 1434 Pontiac, legally described as:

LOT 12 BLOCK 4 ASSESSOR 2 PLAT NO 20

is an unsafe or dangerous building as defined in Section 1460.24 of the Lansing Uniform Housing Code and the Housing Law of Michigan; and

WHEREAS, a hearing was held by the Hearing Officers on June 24, 1993, at which the Hearing Officers determined that said building was an unsafe or dangerous building and ordered the building demolished or otherwise made safe; and

WHEREAS, the Hearing Officers filed a report of their findings and order with the City Council and have requested the City Council to take appropriate action under the Housing Code and the Housing Law of Michigan; and

WHEREAS, the City Council scheduled a public hearing on October 11, 1993 to review the findings and order of the Hearing Officers and the owners were notified in writing of said hearing and had an opportunity to appear and show cause why said building should not be demolished or otherwise made safe; and

WHEREAS, after the public hearing on October 11, 1993, the matter was referred to the Public Service Committee to investigate matters raised by the owner Alma Miatech; and

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

WHEREAS, at the October 21, 1993 meeting of the Public Service Committee it was determined that Ms. Miatech had not obtained necessary permits for electrical, plumbing and mechanical work required to be performed to make the property safe, and she was given two (2) weeks to obtain all proper permits and allow an interior inspection of the property; and

WHEREAS, neither Ms. Miatech nor anyone on her behalf has obtained the necessary permits, and Ms. Miatech failed to appear for the inspection of the property at the appointed time, but the Code Compliance Officers were at the property and observed through the windows that the work required to make the property safe had not been completed;

NOW, THEREFORE, BE IT RESOLVED that the owners are hereby directed to comply with the order of the Hearing Officers to demolish or otherwise make safe the said building within sixty (60) days from the date of this resolution, December 13, 1993; and

BE IT FURTHER RESOLVED that should the owner fail to substantially comply with the Hearing Officers' order for demolition or otherwise make safe, the Director of the Building Safety Division is hereby directed to proceed with demolition of said building; and

BE IT FINALLY RESOLVED that the cost of such demolition shall be reimbursed to the City by the owner or party in interest in whose name the property appears on the tax assessment records. The cost shall be billed by the Assessor and if not paid within thirty (30) days of being billed, the cost shall be a lien against the real property. The lien shall be filed by the City pursuant to the procedure contained in the Housing Law of Michigan.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #705
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

THAT the attached schedule of regular meetings of this Council for the first six months of calendar year 1994 is hereby approved.

By Councilmember Brockwell

Carried unanimously

NOTICE
LANSING CITY COUNCIL MEETINGS FIRST SIX MONTHS OF 1994

Monday January 3, 1994
Monday January 10, 1994
Tuesday January 18, 1994
(Due to Dr. Martin Luther King, Jr. Day)
Monday January 24, 1994
Monday February 7, 1994
Monday February 14, 1994
Monday February 21, 1994
Monday February 28, 1994
Monday March 7, 1994
Monday March 14, 1994
Monday March 21, 1994
Monday March 28, 1994
Monday April 4, 1994
Monday April 11, 1994
Monday April 18, 1994
Monday April 25, 1994
Monday May 2, 1994
Monday May 9, 1994
Monday May 16, 1994
Monday May 23, 1994
Tuesday May 31, 1994 (Due to Memorial Day)
Monday June 6, 1994
Monday June 13, 1994
Monday June 20, 1994
Monday June 27, 1994

RESOLUTION #706
BY COUNCILMEMBER TONY BENAVIDES

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

INCOME TAX BOARD OF REVIEW
APPOINTMENT OF HARRY A. SPENNY

WHEREAS, Harry A. Spenny served on the Income Tax Board of Review for the City of Lansing for a term which expired June 30, 1993; and

WHEREAS, Mr. Spenny previously served on this Board and has done so continuously since 1982; and

WHEREAS, Mr. Spenny possesses the qualifications for this Board and is recommended by the City Terasurer, James Goodin, for appointment to another three year term (commencing July 1, 1993); and

WHEREAS, by statute, appointment to the Income Tax Board of Review is by City Council;

NOW, THEREFORE, BE IT RESOLVED that Harry A. Spenny is hereby appointed to the Income Tax Board of Review for a three year term ending June 30, 1996 and that the appointment shall automatically expire at the end of said term unless he is previously approved for re-appointment to serve another term.

By Councilmember Benavides

Carried unanimously

RESOLUTION #707
REPORT OF COMMITTEE

THE COMMITTEE ON PHYSICAL DEVELOPMENT, to whom was referred the ordinance to readopt Chapter 1220 of the Code, known as the Historic Districts Chapter, for the purpose of providing that this chapter shall remain in effect until March 19, 1994, at which time it shall automatically expire unless readopted,

REPORTS AS FOLLOWS: The Committee recommends that the ordinance be adopted.

Signed: Richard J. Lilly, Chair
Mark H. Canady
Lucile E. Belen

BY COUNCILMEMBER LILLY:

That the report of the Committee be received.

CARRIED UNANIMOUSLY

RESOLUTION #708
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, James A. Crawford was elected to this Council in

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

November 1989, and he served as a Councilmember-At-Large from January 1990 until December 29, 1992, when he assumed the duties of Mayor of Lansing; and

WHEREAS, Jim's leadership skills were apparent to his colleagues, who elected him as Council Vice President for 1991 and as Council President for 1992; and

WHEREAS, Jim has served as Council President and Mayor during a period of great stress in this city government, and the budget and re-organization he recommended in 1993 helped maintain City services to residents despite the retirement of 142 career white collar employees; and

WHEREAS, among the many areas of personal interest to which he devoted his energies, Jim pushed for new public safety programs to combat drug trafficking and prostitution that have been copied by several other communities in Michigan and around the country;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 13th day of December, 1993, hereby pays special tribute to JAMES A. CRAWFORD for his four years of outstanding service to the People of Lansing as a member of this Council and as Mayor; and

BE IT FURTHER RESOLVED the City Council wishes Jim success and happiness in all of his future endeavors.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #709
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, LUCILE E. BELEN is leaving this Council after 37 years of continuous dedicated service, first as a Councilman elected by the Third Ward, then as a Councilman-At-Large, and more recently as a Councilmember-At-Large, reflecting the same elective position under three successive City Charters; and

WHEREAS, since her first election in November 1955, Lucile has devoted countless hours to the Council's business, serving as Mayor Pro-Tem and Council President more often than any other individual in the City's history; and

WHEREAS, Lucile has been a leader in most of this community's innovative programs and public institutions, especially those in health care and intergovernmental services such as CATA, as well as development of Lansing Community College; and

WHEREAS, Lucile's public service has always been accomplished in addition to the demands of running Belen's Flowers, one of the most successful and well recognized florist shops in Greater Lansing; and

WHEREAS, Lucile's generous giving of her time and skills as a plain speaking stateswoman, as a mentor of other public officials, as a major force in economic development activities that have created new jobs and opportunities for the region, and as an indomitable spirit whose influence has been felt by three generations, all serve as examples of the highest tradition of public service;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 13th day of December, 1993, hereby pays special tribute to LUCILE E. BELEN for her 37 years of outstanding service to the Citizens of Lansing as a member of this Council; and

BE IT FURTHER RESOLVED the remaining members of Council wish Lucile success and happiness in all of her future endeavors.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #710
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, ALFREDA SCHMIDT is leaving this Council after 12 years of dedicated service as the Councilmember elected by the Second Ward; and

WHEREAS, since her first election in November 1981, Alfreda has devoted countless hours to the Council's business, serving as Council Vice President in 1986-87 and Council President in 1988, as well as chairing standing committees such as Public Safety, General Services, and Intergovernmental Affairs in other years of her service; and

WHEREAS, Alfreda has been the Council's leader in the approval of several infrastructure programs, including completion of Edgewood Boulevard, the hospital access road off South Pennsylvania Avenue, and the widening of South Cedar Street between Jolly and Mt. Hope; and

WHEREAS, Alfreda's work on behalf of her constituents, her perseverance in finding ways to maintain City services, her support of public safety programs, her active work on behalf of senior citizen programs such as Friends for Life, and her devotion to youth programs such as Girl Scouting and Girls State all serve as examples of the highest tradition of public service;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 13th day of December, 1993, hereby pays special tribute to ALFREDA SCHMIDT for her 12 years of outstanding service to the Citizens of Lansing as the Second Ward Councilmember; and

BE IT FURTHER RESOLVED the remaining members of Council wish Alfreda success and happiness in all of her future endeavors.

By Councilmember Brockwell

Carried unanimously

RESOLUTION #711
BY THE COMMITTEE OF THE WHOLE

RESOLVED BY THE CITY COUNCIL OF THE CITY OF LANSING

WHEREAS, CHARLES E. FORD is leaving this Council after four years of dedicated service as the Councilmember elected by the Fourth Ward; and

WHEREAS, since his first election in November 1989, Charles has devoted countless hours to the Council's business, serving as chair of the Committee on Intergovernmental Affairs and the Committee on General Services; and

WHEREAS, Charles has been a vigorous advocate for youth recreation programs in our community, and has organized and participated in fund raising activities toward the goal of more recreational opportunities for our young people; and

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

WHEREAS, Charles' tireless work on behalf of his constituents, his benefit performances as a practicing magician, and his representation of this Council at a variety of intergovernmental conferences all serve as examples of the highest tradition of public service;

NOW, THEREFORE, BE IT RESOLVED the Lansing City Council, sitting in regular session this 13th day of December, 1993, hereby pays special tribute to CHARLES E. FORD for his four years of outstanding service to the Citizens of Lansing as the Fourth Ward Councilmember; and

BE IT FURTHER RESOLVED the remaining members of Council wish Charles success and happiness in all of his future endeavors.

By Councilmember Brockwell

Carried unanimously

ORDINANCES FOR INTRODUCTION

Handled as Resolution #673 (see under Letters from the Mayor, Item X C-6.)

ORDINANCES FOR PASSAGE

BY COUNCILMEMBER LILLY:

That we proceeed to the passage of Ordinances

CARRIED UNANIMOUSLY

BY COUNCILMEMBER LILLY

That the Ordinance, when read, be considered as read in its' entirety

CARRIED UNANIMOUSLY

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT:

BY COUNCILMEMBER LILLY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-05-93, 1921 W. Holmes Road, be placed on order of immediate passage.

CARRIED UNANIMOUSLY

BY COUNCILMEMBER LILLY:

Resolved by the City Council of the City of Lansing that the Ordinance providing that the Code of Ordinances, City of Lansing, Michigan, be amended by providing for the rezoning of a parcel of property located in the City of Lansing, Michigan, and for the revision of the district maps adopted by Section 1246.02 of the code for property located at Z-05-93, 1921 W. Holmes Road, be now passed.

YEAS: Councilmembers Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

NAYS: None

ABSENT: None

ORDINANCE # 2365

AN ORDINANCE OF THE CITY OF LANSING, MICHIGAN, PROVIDING FOR THE REZONING OF A PARCEL OF REAL PROPERTY LOCATED IN THE CITY OF LANSING, MICHIGAN AND FOR THE REVISION OF THE DISTRICT MAPS ADOPTED BY SECTION 1246.02 OF THE CODE OF ORDINANCES.

The City of Lansing ordains:

Section 1. That the district maps adopted by and incorporated as Section 1246.02 of the Code of Ordinances of the City of Lansing, Michigan be amended to provide as follows:

To Change the zoning classification on the property described as follows:

Case Number: Z-5-93, 1921 W. Holmes Rd., "A" Residential District to "DM-1" Residential District

Parcel Numbers: 3301-32-101-331, -341

Legal Description: The North 437.15 feet of the parcel commencing 8 rods W of N ⅛ Post of NW ¼, Sec. 32, THENCE W 8 rods, THENCE S 43 rods, THENCE E 8 rods, THENCE N 43 rods to beginning, City of Lansing, Ingham County, Michigan

from "A" Residential District to "DM-1" Residential District

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by the City Council.

MARILYNN SLADE, CITY CLERK

By Councilmember Lilly

That we proceed to the passage of Ordinances.

Carried unanimously

By Councilmember Lilly

That the Ordinance when read be considered as read in its entirety.

Carried unanimously

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT AND THE COMMITTEE ON WAYS AND MEANS

By Councilmember Lilly

Resolved by the City Council of the City of Lansing that an Ordinance to Readopt Chapter 1220 of the Codified Ordinances of the City of Lansing, Michigan for the Purpose of Providing that this Chapter Shall Remain in Effect Until March 19, 1994, At Which Time It Shall Automatically Expire Unless Readopted, be placed on order of immediate passage.

BY THE COMMITTEE ON PHYSICAL DEVELOPMENT AND THE COMMITTEE ON WAYS AND MEANS:

By Councilmember Lilly

Resolved by the City Council of the City of Lansing that an Ordinance to Readopt Chapter 1220 of the Codified Ordinances of the City of Lansing, Michigan for the Purpose of Providing That This Chapter Shall Remain In Effect Until March 19, 1994, At Which Time It Shall Automatically Expire Unless Readopted, be now passed.

YEAS: Councilmembrs Beal, Belen, Benavides, Brockwell, Canady, Ford, Lilly, Schmidt

NAYS: None

ABSENT: None

By Councilmember Lilly

That This Ordinance Being Necessary for the Immediate Preservation for the Public Peace, Health, or Safety, shall take effect upon its' passage

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

Carried unanimously

ORDINANCE NO. 872

AN ORDINANCE TO READOPT CHAPTER 1220 OF THE LANSING CITY ORDINANCE FOR THE PURPOSE PROVIDING THAT THIS CHAPTER SHALL REMAIN IN EFFECT UNTIL MARCH 19, 1994, AT WHICH TIME IT SHALL AUTOMATICALLY EXPIRE UNLESS READOPTED.

The City of Lansing ordains:

Section 1. That Chapter 1220 of the Code of Ordinances shall be readopted and shall read as follows:

1220.01 PURPOSES.

The purpose of this chapter is to provide for the recognition, preservation and protection of historical and architectural sites, buildings, structures, objects, open spaces and features, hereinafter referred to as district resources, which are organized into Historic Districts significant to the cultural, social, economic, political and architectural heritage of the City. Further, the purposes of this chapter are to stabilize and improve property values, preserve. neighborhoods, strengthen the local economy, foster civic beauty and pride and promote the use of Historic Districts for the education, pleasure and welfare of the residents of this City.

(Ord. 665. Passed 12-19-83.)

1220.02 DEFINITIONS.

As used in this chapter:

(a) "Addition" means any construction, such as a porch or attached garage, which increases the height or floor area of an existing district resource or adds to it.

(b) "Alteration" means construction, replacement or remodeling within or of a district resource resulting in an exterior change to structural parts, the location of openings or the location or appearance of the district resource, but does not increase the overall dimensions.

(c) "Certificate of approval" means the written approval of the Historic District Commission of plans for new construction, addition, alteration, demolition, reconstruction, rehabilitation, repair, restoration or moving of district resources in designated Historic Districts.

(d) "Demolition" means the destruction, all or in part, of a district resource within a designated Historic District.

(e) "District resource" means a site, building, structure, object, open space or feature to be found individually or in a related group within a Historic District. Specifically:

(1) "Site" means a district resource that is related to important historical events, a prehistoric or historic occupation or activity, an institution or organization or an architectural district resource that is ruined or vanished, where the location itself maintains historical value regardless of the value of any existing architectural district resources. Examples: historic marker, commemorative plaque.

(2) "Building" means an existing or proposed residential, commercial, industrial or institutional district resource created to shelter any form of human activity. Examples: house, courthouse, jail, barn, church, theater, hospital, office building.

(3) "Structure" means an existing or proposed district resource made up of interdependent and interrelated parts in a definite pattern of organization, often reflective of an engineering design. Examples: bridge, dam, water tower, bell tower.

(4) "Object" means a district resource of functional, aesthetic, cultural, historical, architectural or scientific value that may be, by nature of design, movable, yet related to a specific setting or environment. Examples: statue, fountain, lighting fixture, sign, sundial.

(5) "Open space" means a district resource that is undeveloped land, a naturally landscaped area, a formal or man-made landscape or developed open space, significant as a connective link or buffer between other district resources. Examples: naturally landscaped park, formal garden, vacant land, parking lot.

(6) "Feature" means a prominent or distinctive aspect, quality or characteristic of a designated Historic District. Examples: landscaped boulevard, brick paving, tree-lined street.

(f) "Elevation" means a scale drawing of the side, front or rear facades of a given district resource.

(g) "Historic" means the age of a district resource; however, there is no age limit implied by the use of the term "historic." Rather, the term shall apply to any district resource that is significant to the overall appearance of a Historic District and that plays a role in the evolutionary growth of a Historic District's streetscape.

(h) "Historic District" means a geographically defined area, including a district resource or a group of district resources, established by the City for the purpose of preservation. The City may establish more than one such Historic District and such Historic Districts need not be contiguous. Usually, district resources within the boundaries of a Historic District are related by historical or architectural significance. However, a Historic District may also consist of a single district resource unrelated to its surroundings in historical or architectural significance and so designatedby this chapter.

(i) "Historic District Commission" means the member body established by the City for the purpose of execution of this chapter.

(j) "Historic preservation" means the protection, rehabilitation, restoration or reconstruction of district resources of historical or architectural significance.

(k) "Honorary designation" means recognition of important historical events, institutions or organizations related to district resources, where the district resources themselves are not necessarily historically or architecturally significant.

(l) "Landowner" means any individual, business or association having legal or equitable title in real property.

(m) "New construction" means planned district resources that are to be constructed or placed within a designated Historic District. Such planned new construction, because it will have a significant effect on the overall appearance of a Historic District, and because it will play a role in the evolutionary growth of a Historic District's streetscape, shall be treated as "historic" by the Historic District Commission, the same as older, existing district resources.

(n) "Preservation standards and guidelines" means preservation principles which shall be considered by the Historic District Commission in assessing the appropriateness of activities which will affect district resources included in designated Historic Districts. General and nationally accepted preservation standards, such as the U.S. Secretary of the Interior's *Standards for Rehabilitation*, will initially be used by the Commission. However, the Commission shall develop more specific guidelines within the parameters established by such nationally accepted preservation standards.

(o) "Reconstruction" means the process of reproducing by new construction the exact form and detail of a vanished district resource, or part thereof, as it appeared at a specific time.

(p) "Rehabilitation" means the revitalization of a district resource through the introduction of modern mechanical systems, structural

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

elements and decorative features. However, such modern improvements should be sympathetic to the district resource's original style, size, color and texture, and should be reversible.

(q) "Repair" means the maintenance of, or return to, a state of utility of district resources.

(r) "Restoration" means the process of accurately recovering the form and detail of a district resource as it appeared at a particular period of time, by removing later work, replacing missing elements or enhancing original work.

(Ord. 665. Passed 12-19-83.)

1220.03 PROCEDURE FOR ESTABLISHMENT.

(a) Historic districts shall be established by ordinance. The Historic District Commission shall conduct studies and research and make reports on the historical and architectural significance of districts, sites, buildings, structures, objects, open spaces and features in the City. The Commission's report shall contain recommendations concerning the area to be included in each proposed Historic District. Copies of the report shall be transmitted for review and recommendations to the Planning Board, the State Historical Commission, the State Historical Advisory Council and the public upon request. Not later than sixty days after the transmittal, the Commission shall hold a public hearing. Not less than fourteen days prior to the date of the public hearing, the owners of all properties to be included in such Historic District shall be given written notice of such hearing. Before recommending the establishment of a Historic District, the Commission shall receive a petition signed by at least sixty percent of the landowners of properties located within the proposed Historic District.

(b) After the hearing, the Commission shall submit a final report, with its recommendations and those of the Planning Board, and a draft of a proposed ordinance, to Council.

(Ord. 665. Passed 12-19-83.)

1220.04 HISTORIC DISTRICT COMMISSION ESTABLISHED; COMPOSITION; TERMS OF OFFICE; ORGANIZATION.

(a) The Historic District Commission is hereby established. The Commission shall consist of seven members whose residences are located within the City. They shall be appointed by the Mayor, with the consent of Council, for terms of office of three years, provided that two of the initial members shall be appointed for one year, two for two years and three for three years, as the initial terms expire. At least two members shall be appointed from a list of residents submitted by a duly organized and existing preservation society, and at least one member shall be an architect, duly registered in this State, if such a person resides within the City and is available for appointment. Members of the Commission may be reappointed. A vacancy occurring in the membership of the Commission for any cause shall be filled by a person appointed by the Mayor, with the consent of Council, for the unexpired term. All members of the Commission shall serve without compensation.

(b) The Chairperson shall be elected annually by a majority vote of the members of the Commission. The Commission may meet at such times as the Commission may determine or as otherwise required in this chapter. The Commission shall adopt its own rules of procedure and shall keep a record of its proceedings, showing the action of the Commission and the vote of each member upon each question considered. All meetings of the Commission shall be open to the public and any person shall be entitled to address the Commission before it reaches a decision. The Commission shall keep a record which shall be open to the public. The presence of four members shall constitute a quorum. In the absence of a quorum, any number less than a quorum may recess any meeting to a later time.

(Ord. 665. Passed 12-19-83.)

1220.05 POWERS AND DUTIES OF COMMISSION.

(a) The Historic District Commission shall review all permits required by City ordinance concerning construction, alteration, repair, moving or demolition of the exterior features of a district resource, along with all accompanying plans and information as they pertain to the exterior features only. It may approve or disapprove permit applications and plans before a permit required by City ordinance for such activity can be granted by the Department of Planning and Municipal Development. In reviewing permit applications and plans, the Commission shall give consideration only to the following:

(1) The historical or architectural value and significance of a structure or building and its relationship to the historic value of the surrounding area;

(2) The relationship of the exterior architectural features of the structure or building to the rest of the structure or building and to the surrounding area;

(3) The general compatibility of exterior design, arrangement, texture and materials proposed to be used; and

(4) Any other factors, including aesthetic, which it deems pertinent.

(b) The Commission shall recommend to Council the establishment and/or deletion of any Historic District. (Ord. 665. Passed 12-19-83.)

1220.06 PROCEDURE FOR REVIEW OF PERMIT APPLICATIONS; CERTIFICATES OF APPROVAL.

Officials of the Department of Planning and Municipal Development, in reviewing all applications for permits, shall ascertain whether or not district resources are located in designated Historic Districts and, if so, shall advise applicants of the requirements. An application for a permit required by City ordinance to construct, alter, repair, move or demolish any structure or to erect any sign within a Historic District shall be forwarded to the Historic District Commission by the Department, with all accompanying plans and information. The Commission shall then hold a public hearing upon at least ten days written notice to the applicant.

The applicant or his or her representative may be heard in person or in writing and may present evidence, witnesses and arguments. Any other person or his or her representative may be heard before the Commission on any matter relevant to the Commission's decision.

Approval of applications for a permit required by City ordinance shall be evidenced by a certificate of approval signed by the chairperson of the Commission. Disapproval will be evidenced by a written statement of findings of fact signed by the concurring members, which statement shall be attached to the application and returned to the Department with any suggestions as to how the plans might be modified for resubmission and approval. Any application not acted upon by the Commission within forty-five days of receipt by the Commission shall constitute approval by the Commission, unless otherwise mutually agreed upon by the applicant and the Commission, and the Department official shall proceed to process the application without regard to an attached

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

certificate of approval.
(Ord. 665. Passed 12-19-83.)

1220.07 REMOVAL OR DEMOLITION OF DISTRICT RESOURCES.

(a) A certificate of approval which will allow for the removal, demolition, repair or alteration of the exterior features of a district resource shall be granted by the Historic District Commission if any of the following conditions prevail and if, in the opinion of the Commission, the proposed removal or demolition will materially improve or correct such conditions:

(1) The Department of Planning and Municipal Development official determines the district resource to be a hazard to public safety or health or to its occupants;

(2) The district resource is a deterrent to a major improvement program which will be of substantial benefit to the community;

(3) Retention of the district resource would not be in the best interests of the majority of the community; or

(4) Retention of the structure would cause undue financial hardship to the owner.

(b) In the case of an application concerning a district resource which the Commission deems so valuable to the City, State or nation that the loss thereof will adversely affect the public purpose of the City, State or nation, the Commission shall endeavor to develop with the owner an economically feasible plan for preservation of the district resource. (Ord. 665. Passed 12-19-83.)

1220.08 YARD VARIANCES.

Due to particular conditions of design and construction in historic neighborhoods where structures are often built close to lot lines, and since it is in the public interest to retain a neighborhood's historic appearance by making variances to normal yard requirements where it is deemed that such variances will not adversely affect neighborhood properties, the Historic District Commission may recommend to the Board of Zoning Appeals that a variance to standard yard requirements be made.
(Ord. 665. Passed 12-19-83.)

1220.09 ACCEPTANCE OF GRANTS AND GIFTS.

The Historic District Commission may accept, on behalf of the City, grants from the State or Federal Government for historic restoration purposes. It may accept other public and private gifts for historic purposes. Title to any such property shall be vested in the City and all moneys shall be deposited with the City Treasurer.
(Ord. 665. Passed 12-19-83.)

1220.10 ENFORCEMENT; APPEALS.

(a) The enforcement of this chapter shall be the responsibility of the Department of Planning and Municipal Development.

(b) Any persons jointly or severally aggrieved by a decision of the Historic District Commission shall have the same rights as a person aggrieved by a decision of the Board of Zoning Appeals.
(Ord. 665. Passed 12-19-83.)

1220.11 EXPIRATION OF CHAPTER.

This chapter shall expire ten years from the date of its adoption (Ordinance 665, passed December 19, 1983) ON MARCH 19, 1994 unless it is readopted by Council.
(Ord. 665. Passed 12-19-83.)

1220.99 PENALTY.

(EDITOR'S NOTE: See Section 202.99 for general Code penalty if no specific penalty is provided.)

Section 2. All ordinances or parts of ordinances inconsistent with the provisions hereof are hereby repealed.

Section 3. This ordinance shall take effect thirty (30) days from its passage unless given immediate effect by City Council.

Given immediate effect by motion of Councilmember Lilly and unanimous vote of City Council.

MARILYNN SLADE, CITY CLERK

CONSIDERATION OF LATE ITEMS

1/ From Councilmember Benavides; a Resolution Reappointing Harry Spenny to the Income Tax Board of Review

HANDLED AS RESOLUTION #706

2/ From Councilmember Lilly; a Committee Report from the Physical Development Committee recommending Passage of the Historic District Ordinance

HANDLED AS RESOLUTION #707

3/ From Councilmember Lilly; an Ordinance Readopting Chapter 1220, Historic Districts

HANDLED AS ORDINANCE #872

4/ From Councilmember Ford; a Resolution Approving Public Drivers License for Peggy A. Hines

HANDLED AS RESOLUTION #672

TABLED ITEMS

A. BY THE COMMITTEE ON GENERAL SERVICES

Claim Settlement, Clyde Smith

There was no motion to dispense with the tabled item

MAYOR'S COMMENTS

Mayor Crawford announced that House Bill #5009, has passed and it includes language that would tax TIFA's. He thanked Representatives Byrum and Hollister for their help on this issue, as well as Kevin McKinney, the lobbyist for the city. The bill has passed the house and now will go to the senate. The last 4 years have been one of the most phenomenal experiences that a person could have and he would never have changed it. He thanked Councilmembers Belen and Schmidt for their advice to him in the beginning. He will miss everyone and wishes them all well and Godspeed.

COUNCILMEMBER'S COMMENTS

Councilmember Belen said this will be her last Council meeting as a Councilmember. She had planned to review her career on City Council, but since the State Journal did so this morning, she will not. She did offer historical information on the Board of Water & Light and how they came to be located in the building they are in. Lansing, she said, is fortunate to have been blessed with fine department heads and employees who have stayed with the city for many years. Many have won national awards. She thanks them all.

Councilmember Schmidt said that it has been a tremendous privilege for her to serve with Councilmember Belen for the last 12 years, as well as with other Councilmembers. She is sad that she will not be returning next year, because, with another four years they could have made even more of a difference in the south end.

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

She hopes the returning Councilmembers will remember to maintain the goals of the early retirement program. The cooperation of department heads and their employees is what has made it possible for her to do her job. They are the ones who really do the work and they are truly wonderful people. Now, after 12 years, she will have a vacation.

Councilmember Ford said it has been his great pleasure to have been able to work with Councilmembers Belen and Schmidt and to be able to give back to his community by serving on city council. He thanked his family for their understanding of his commitment, the Michigan Department of Transportation for supporting him in his position and council staff; Tina, Terese, Fran, Ron, and Gregg. When he has had to have anything done, all he had to do was give them a call and they were always willing and professional in their performance. He has performed over 150 magic shows in public schools in the last 4 years and will continue to perform for the enjoyment of the kids. He is happy and gratified to see the Middle School Athletic program back in place and thanks Kris Nicholof of LYRF, and Magic Johnson for making the donations that made this possible. He campaigned on the idea of instituting police sub-stations and is glad to see these implemented too. They will be a big help in fighting crime and drugs in neighborhoods. He hopes his contributions on City Council will be appreciated. He sends a personal message of thanks to Councilmember Brockwell. The City is moving forward and exciting things are happening for it. He will be watching to make sure all goes well.

Councilmember Brockwell wished a Merry Christmas and Happy New Year to all.

PUBLIC COMMENTS

Lewis Pothoff of 628 Smith wished happy holidays to councilmembers and said he thanks everyone who has been so helpful to him in his time of need.

William Bernstein of 420 Baker St. made the same charges against Councilmembers and employees that he has become accustomed to making every week.

Sue Mills of 601 Leslie St., Director of the Arts Council indicated her concern, that there is not now enough time for City Council to follow its' usual practice for processing of the Michigan Equity Grant Fund applications. They must have their application submitted to the State by January 14, 1994. Please expedite this process so that these agencies do not lose out on their funding. The Council must pass their resolution no later than January 10, 1994 in order to meet deadlines.

Lloyd Teets of 116 E. Elm St. wished a happy holiday to all.

Sandra Schafley of 918 McKim said she hopes the winners of the November election will be good winners and that they do not make wholesale policy changes in personnel just for the sake of change. She asked the citizenry to give the new administration a chance before they begin coming down here to complain. Councilmember Belen, she said, is a classy lady and a senior statesman. She hopes the new leaders do not ignore opportunities to pick her brains and learn from her.

Frank Curtis, 'X' complained about a local radio station refusing to allow him to make comments over the air this morning. This is not right, these are public air waves.

Alex Bolt of 1230 Reo Rd. said Council is blatantly obvious in the discrimination they practice when handing out extra speaking time. He is here on behalf of CSL to thank City Clerk-elect Sue Eby for doing the right thing for the city and stepping down from her elected position. Their group endorses the appointment of Marilynn Slade to the City Clerk's Office. They send their thanks to the Mayor and outgoing Councilmembers for their efforts on behalf of the city, especially Councilmember Belen.

Douglas Fairbanks of 525 E. Mt. Hope said there will never be another great lady in the city like Councilmember Belen. No one shows the right attitude about the great job this Council has done for them.

Sid Worthington of 420 W. Ionia speaking in both an official and personal capacity, thanked Councilmembers Ford, Schmidt, Belen, and Mayor Crawford for their support.

Dale Johnson of 1015 S. Washington thanked Councilmembers for their service to the city and Mayor Crawford for his tough stance on crime. He announced the opening of a new Homeless Shelter by Straightline Ministries and said they will have an open house to which everyone is invited.

Vern Letts of P.O. Box 7053 accused the Lansing Police Department of entering into a conspiracy to shoot his son and frame a group of local kids for the crime by saying it was over a starter jacket. All of this they did, he said, in an attempt to get revenge against him for filing a civil suit against the city. Now the FBI refuses to talk to him because of them.

Walter Rhodes of 1427 McIntyre Court registered his second complaint to City Council regarding the public nuisance created by a garage that was built next door to him. The property owner built the garage in violation of the building permit issued to him. This garage is hazardous to him and his entire community. The Board of Zoning Appeals, when reviewing the issue, failed to uphold the law. He hopes that City Council is more diligent.

Floyd Burns of 103 E. North St. said he hopes the new mayor and council will be given a chance to set things straight. He welcomes them all.

Leonard Leek of 905 West St. wished good luck to outgoing councilmembers and mayor. He commended Councilmember Ford for the good things he has done for the Main Street community. He pushed this community to do positive things for itself and as a result they formed the Main Street Association. They have a celebration every summer and this year will begin holding a Christmas program too. This Saturday, December 18, 1993, from 12:00 P.M. to 8:00 P.M. everyone is welcome to experience a "Christmas on Main Street". Charles Ford deserves their thanks for doing what he has done for the Council, the City, and their Community.

Jason Williams of 723 Shiawassee thanked Councilmember Belen for the service she has given to the city. He is sorry to see her go. She will be sorely missed. The same goes to Councilmembers Ford and Schmidt, and Mayor Crawford. He warned Councilmembers Canady and Brockwell that if they had been up for re-election this year they would have been defeated as well. Please reflect on this when making decisions in the future.

Harold Leeman of 529 N. Francis said the Board of Water & Light will vote on their rate increase on Tuesday, December 28th. He complimented Councilmember Ford for running a darn good

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries

committee, and Councilmember Schmidt for doing the best constituent service. He wished happy holidays to everyone.

ADJOURNED 11:30 P.M.
MARILYNN SLADE, CITY CLERK

A collaborative digitization project of the City of Lansing and Forest Parke Library and Archives - Capital Area District Libraries